# Supreme Court of the United States

OCTOBER TERM, 1968

**No. 925**

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NATIONAL LABOR RELATIONS BOARD,
*Petitioner,*

—v.—

J. H. RUTTER REX MANUFACTURING COMPANY, INC., ET AL.,
*Respondent.*

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ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

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UNITED STATES OF AMERICA
BEFORE THE
NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION

Cases Nos. 15-CA-721, 15-CA-723

Received, NLRB 15th Reg., New Orleans, I.A.,
Sep. 4, 3:28 P.M., '62 /s/ al

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

and

AMALGAMATED CLOTHING WORKERS OF AMERICA,
AFL-CIO

## RESPONDENT'S ANSWER TO BACKPAY SPECIFICATION

Now comes J. H. RUTTER-REX MANUFACTURING COMPANY, INC., respondent herein, and in reply to the Backpay Specification filed herein on November 16, 1961, avers:

1

That because of the illegal, unwarranted and prejudicial delays of the Regional Director of the NATIONAL LABOR RELATIONS BOARD in this proceeding, and because of the speculative premises relied upon by the Regional Director in preparing the Backpay Specification and the schedules to which it refers, respondent is unable to respond to the Backpay Specification in the fully detailed manner apparently required by the literal provisions of Section 102.54 of the Rules and Regulations of the NATIONAL LABOR RELATIONS BOARD. Respondent accordingly filed with the United States Court of Appeals for the Fifth Circuit a motion to stay the backpay hearing which was set by the Regional Director for January 29, 1962, and attaches hereto, as a part of this answer as *Exhibit A*, a copy of the opinion of the

Court of Appeals in which the Court states that the Board has been guilty of inordinate delays in the handling of this case. Respondent now files this answer reserving the right to supplement the same at such time as the position of the Regional Director in the Backpay Specification is clarified and as further details become available to the respondent during the course of preparation for the hearing and during the course of the hearing itself.

2

Answering Article I of the Backpay Specification, respondent denies that any employee listed in Article I thereof is entitled to the payment of any backpay whatsoever. Respondent admits that certain of its employees engaged in a strike which commenced on April 21, 1954. Respondent further admits that applications for reinstatement were received from some of the employees listed in Article I of the Specification, but denies that any application for reinstatement was received from the following employees at any time between the date on which the strike terminated and the date on which the Backpay Specification was filed:

ALEXCEE, Irene
ALLEN, Victoria
BARNES, Sonore (Rochon)
BREAUD, Leonce
COOPER, Bessie (Lee)
CORNISH, Estella
DAVIS, Georgiana
FULTON, Vera
GAMBLE, Indiana (Plummer)
HAYNES, Ida
HOLDEN, Helen
SMITH, Leonardine
LESENE, Amelia
LODGE, Kathleen
MARTIN, Noel
MORRISON, Elouise (Epps)
OCAMPO, Desrderia
TAYLOR, Mary
THOMPSON, Lila Coston
THORNTON, Rosalie
WALKER, Hattie
WEATHERSBY, Dorothy
WALKER, Marjorie
WALLACE, Alma

3

Answering Article II of the Specification, respondent objects to the method used by the BOARD in computing backpay for the following reasons:

Respondent contends that if it should be determined that backpay is due to any employee, which is denied,

the liability of respondent to that employee should be computed by reference to the performance and earnings of said employee before and/or after the strike, and not be referring to the alleged average earned by other employees during the backpay period.

Even if it were relevant to compute backpay in this instance by averaging the earnings of other employees, respondent objects to sub-part 1 of Article II of the Specification because the selection of the 101 incumbent and 82 replacement employees referred to by the BOARD in its computations is an inaccurate and prejudicial basis for computing the liability of the company. The BOARD has selected a majority of employees whose earnings are above the plant average and has also selected employees whose earnings are above the average earned by all of the operators on the particular operation on which the selected employees were employed. The result of the selection of above-average employees in determining the amount which the BOARD claims would have been earned by the alleged discriminatees is to increase the amounts allegedly due to said discriminatees, many of whom were untrained employees, many of whom were learners, and many of whom were earning less than the guaranteed minimum rate in effect in the plant for experienced operators on the date of the strike. The BOARD has not considered the earning record of the alleged discriminatees before the strike, and has assumed facts which lead to the conclusion that the respondent paid higher wages than any employer with whom any alleged discriminatee found employment during the period covered by the Specification.

With reference to sub-part 2 of Article II, respondent objects to parts (b) and (c) because the BOARD has assumed that a vacation payment was due each year to any employee on the company payroll and has ignored the actual details of the company's vacation plan. Similarly, the BOARD has assumed that a "bonus" was automatically due to each alleged discriminatee at Christmas without regard to the requirement in the company plan that an employee be continuously employed during a 5-year period before a second week's vacation is due to

that employee, which second week is normally payable at Christmas time and has thus become popularly referred to as a Christmas bonus.

With regard to sub-part 3 of Article II, respondent objects to part (a) thereof in which the Board has categorized cutters, spreaders, and clicking machine operators together in Group 1 in order to compute average earnings, whereas in truth and in fact these classifications are paid on a separate and distinct basis.

With further reference to sub-part 3 of Article II, respondent objects to the basis on which the average earnings of the male utility employees was computed in that the BOARD has included an assistant to the warehouse manager who was not in the unit for purposes of collective bargaining, one John J. Lais, thereby raising the average above what any alleged discriminatee would have earned.

With reference to sub-part 4 of Article II of the Specification, respondent objects to the grouping of all female production employees in one group or classification without regard to the different operations upon which the said female production employees were employed. Respondent contends that a more proper basis of computing the earnings for the period covered by the Specification is to compute the earnings of each operator separately, and consider the results in relation to the actual earnings of an alleged discriminatee before and/or after the strike.

With regard to sub-part 5, and referring to Groups 1 through 4, inclusively, respondent objects to the exclusion from the average of any employee employed for less than six months. Such exclusion has the effect of eliminating the earnings of irregular and irresponsible employees from the computation of the average and has the further effect of increasing the vacation pay used in computing the average in the Specification. With reference to Group 5, respondent objects to the selection of the incumbent and replacement employees on the arbitrary basis assumed by the BOARD because it has the effect of including in the average only those steady and experienced employees whose earnings are not indicative of the average in the plant but whose earnings are above average.

Further answering sub-part 5 of Article II, respondent alleges that the BOARD has computed average earnings by reference to those employees who were predominantly above average with the result that each alleged discriminatee referred to in the schedules, even though employed in plants which are in competition with respondent, and in some instances in plants which are operating under a contract with the AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO, is alleged to have earned less for a comparable period of employment than the BOARD claims the same employees would have earned in respondent's non-union plant.

Answering sub-paragraph 6 of Article II, respondent objects to the BOARD's method of computing the alleged gross backpay, in that the BOARD has divided the bi-weekly wages of the incumbent and replacement employees in a particular group by the total number of employees in the group who show any earnings in the bi-weekly pay period. Such a method of computation disregards that number of employees who through absenteeism may have no earnings in a particular pay period.

Answering sub-paragraphs 9 and 10 of Article II of the Specification, respondent objects to the method of computation proposed by the BOARD in that such method has the effect of according vacation bonus benefits to employees who have not earned them simply because the average of said vacation and bonus benefits are given automatically to all employees under the BOARD's method of computation.

Further answering Article II, respondent objects to the BOARD's method of computation because the BOARD does not take into consideration normal absenteeism in the plant, which, on the average, amounts to approximately one day per employee per month. In addition, the BOARD has assumed that the alleged discriminatees would have worked steadily and without interruption for the entire period referred to in the Backpay Specification, which assumption is contrary to the experience of the plant.

4

Answering Article III of the Specification, respondent avers that it has complied in good faith with the obligations imposed by the United States Court of Appeals for the Fifth Circuit in enforcing the BOARD's order in this proceeding, and accordingly denies the correctness of the computations set forth in the tables which are a part of Article III of the Specification.

With regard to those columns in the schedules referred to as "Remarks", "Interim Earnings", and "Expenses", respondent is without knowledge regarding any of the information reflected in said columns. However, respondent alleges on information and belief that in most, if not all, the cases referred to in the schedule attached to Article III, the net interim earnings of the alleged discriminatees were higher than reflected in the schedule.

5

Answering Article IV of the Specification, respondent denies that it is indebted to any of the persons named therein for any amounts whatsoever, and further denies that any of the persons named in said article are entitled to reinstatement as of this date.

And now further answering, respondent avers:

6

(1) Respondent had no obligation to rehire any striker who did not in good faith submit an application for reinstatement. In numerous instances, which will be pointed out at the hearing, applications were received from strikers who were not serious about returning to work but who submitted an application merely on instructions from the union. In other instances strikers refused employment when it was offered to them. In addition, no application was ever received from the employees listed in Article II of the answer.

(2) Respondent is not obligated to rehire any employee who engaged in improper conduct during the strike. Those strikers who were not employed for this reason were the following:

BICKMAN, Amanda
BROWN, Elvera M.
DANDRIDGE, Dorothy
GREEN, Jimmie Lou
GRIFFIN, Audry
HICKS, Rose Marie
JOHNSON, Maybelle
LANIER, Elmarie
LANIER, Ernestine
LARRIEU, Louis
LEWIS, Doris
LEWIS, Leonard T., Jr.
SMITH, Leonardine
SMITH, Octavia
WASHINGTON, Lula Mae

(3) Respondent had no obligation to rehire any employee on the basis of the union's letter of April 4, 1955, which terminated the strike. In many instances the schedule accompanying Article III of the Backpay Specification lists April 5, 1955, as the date upon which an alleged discriminatee applied for reinstatement. As a matter of fact, the Company received no applications whatsoever on this date and accordingly denies that it had any obligation to rehire a striker unless and until an application was submitted.

(4) Respondent is not obligated to hire any employee for whom respondent had no work on the date upon which such employee applied. In order to maintain production at an efficient level it was necessary to avoid disrupting respondent's balanced line operation by the indiscriminate placing of inexperienced learners in key positions in the line. This would have destroyed the efficiency of the line, and resulted in less production and fewer jobs.

(5) Respondent was not obliged to rehire any striker who did not seek reinstatement within a reasonable time following the termination of the strike.

(6) During all the time covered by the Specification, the respondent maintained a standing order for employees with the United States Employment Service and from time to time inserted advertisements in the local press seeking employees. Respondent alleges that any of its employees who went on strike and who seriously sought reemployment would have maintained contact with respondent in order to obtain work when work was available. On information and belief, respondent alleges that many of the alleged discriminatees were not serious about returning to work for respondent, but rather submitted

an application upon suggestion from the union in the hope that at some future date they would be found eligible for the payment of backpay.

(7) Respondent further avers that the Regional Director and/or the BOARD, by delaying for approximately 4½ years the filing of the Backpay Specification, has failed to discharge the duty placed upon it by Section 102.52 of the Rules and Regulations of the BOARD, and has failed to comply with the affirmative requirement of Section 6 of the Administrative Procedure Act. By such failure to comply with the dtuies placed upon it by law, the Regional Director and/or the BOARD has prejudiced the rights of the respondent by permitting the accrual of excessive backpay and, through the passage of time, rendering difficult, if not impossible, an adequate defense to the facts alleged in the 428 pages of the Backpay Specification. Because of the illegal, unwarranted, and prejudicial delay which has occurred, all to the detriment of respondent, and in spite of respondent's request for the cooperation of the BOARD in the matter of compliance with its Order as enforced by the Court of Appeals, the Regional Director and the Board should be estopped from construing the Order which has been enforced in this case as a punitive Order requiring respondent to pay backpay for the period of the BOARD's own delays.

(8) Respondent further avers that the Court of Appeals for the Fifth Circuit, in enforcing the BOARD's Order in this proceeding, did not contemplate literal compliance with the requirement in the BOARD's Order that each striker who reapplied be given employment within the 5-day period referred to in the BOARD's Order. On the contrary, respondent avers that the Circuit Court of Appeals recognized the practical difficulties which had been urged to the Court by respondent in support of its contention that the original BOARD Order was a punitive and not remedial one, and intended that the BOARD consider these difficulties in determining respondent's obligations under the Decree.

Respondent avers that it has made a good faith effort to rehire all of the strikers who applied for reinstatement within a reasonable time after the termination of the

strike, with the exception of those who had engaged in improper conduct during the strike, and consistent with the work which was available in the plant and the respondent's need to maintain a balanced operation in the plant, and that it has accordingly discharged its obligation under the BOARD Order as enforced by the Court of Appeals.

WHEREFORE respondent asks that the Backpay Specification which has been filed herein be dismissed, and that respondent be accorded such other relief as may be proper under the circumstances.

BROWN HERMAN SCOTT
& YOUNG

By /s/ John M. Scott
JOHN M. SCOTT
203 Ft. Worth Club Bldg.
Ft. Worth, Texas

MONTGOMERY BARNETT BROWN
& READ

By /s/ H. J. Read
HENRY J. READ
806 N B C Bldg.
New Orleans 12
Attorneys for
J. H. RUTTER-REX
MANUFACTURING CO., INC.

NATIONAL LABOR RELATIONS BOARD
Docket 15-CA-721, 15-CA-723, Official Exhibit No. GC-1m.
Disposition Identified, Received, in the matter of
Rutter Rex
Date, 11-13-62, Reporter, Lyon.

## AFFIDAVIT

ORLEAN: PARISH
LOUISIANA

Personally came and appeared EUGENE J. RUTTER, who after being duly sworn deposed and said that he is the President of J. H. RUTTER-REX MANUFACTURING COMPANY, INC., respondent in the above and foregoing answer; that he has read the same and knows the contents thereof and that the same are true and correct. In any instance in which an allegation is made on information and belief, respondent believes said allegation to be true.

/s/ Eugene J. Rutter
EUGENE J. RUTTER

SWORN TO AND SUBSCRIBED
September 4th, 1962.

/s/ Wood Brown, Jr.
Notary Public
[SEAL]

Received, NLRB 15th Reg., New Orleans, I.A.,
Sep. 4, 3:28 P.M., '62 /s/ al

## CERTIFICATE

I CERTIFY that I have filed an original and four copies of the above and foregoing answer with the Regional Director for the Fifteenth Region of the NATIONAL LABOR RELATIONS BOARD by causing the same to be delivered to his office in New Orleans this 4th day of September, 1962.

/s/ H. J. Read
HENRY J. READ

EXHIBIT A

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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No. 16422

---

NATIONAL LABOR RELATIONS BOARD, PETITIONER

*versus*

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.
RESPONDENT

---

On Motion of J. H. Rutter-Rex Manufacturing Company, Inc. to Enjoin the National Labor Relations Board from Conducting a Back Pay Proceeding.

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(July 19, 1962)

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Before CAMERON, JONES and GEWIN, Circuit Judges:

GEWIN, Circuit Judge: On January 3, 1962, upon the application of J. H. Rutter-Rex Manufacturing Company, Inc., the employer, this Court issued an order temporarily staying all further actions pending before the National Labor Relations Board, Fifteenth Region, involving hearing with respect to back pay specification, until this Court could determine whether the motion to stay the proceedings permanently should be granted. This case arises as a sequel to our decision and order in *N. L. R. B.* v. *J. H. Rutter-Rex Manufacturing Company, Inc.*, June 10, 1957, 245 F. 2d 594. The question now is whether the stay order should be made permanent.

We will not undertake to detail all facts involved except to say that the difficulties resulted from a strike which began in April 1954 and ended in April 1955, out of which arose our decision above mentioned. The employer

claims good faith compliance with the judicially enforced Board order; that it reported to the Board; and further, that on November 7, 1957, it wrote a letter to the Board in which it stated:

> "If any instance of a failure to fully comply with the order is brought to your attention, we would appreciate your contacting us promptly so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree."

The employer complains that nothing was heard from the Board until about three years later when the Board demanded detailed information covering approximately 400 employees. On November 16, 1961, more than four years after our decree, a formal back pay specification and notification was issued by the Board which involved numerous detailed figures, dates, wage rates, weekly earnings, probable earnings, etc. In summary, the employer contends that because of such unwarranted delay by the Board, the proceedings are invalid, are arbitrary and in violation of law.

The Board on the other hand relies upon its letter to the employer dated August 21, 1957, which contains the following statement:

> "When you have fully complied with the affirmative terms of the Decree and there are no violations of its negative provisions, you will be notified that the case has been closed. Until you receive such notice you will know that the case still remains open for all purposes as awaiting compliance."

Further, the Board asserts that the employer is thoroughly familiar with the type of letter written by the Board when there has been satisfactory compliance with the affirmative requirements and negative provisions of a decree and the file in the case finally closed. No such closing letter was written in this case and therefore, says the Board, the employer knew the matters involved were still pending.

The employer candidly admits that the relief herein sought by it has never been granted, or perhaps considered by the Federal Appellate Judiciary.[1] The employer specifically calls our attention to the "All Writs Act", 28 U.S.C.A. § 1651; the Administrative Procedure Act, 5 U.S.C.A. § 1005(a), § 1008(b) and § 1009(c); § 102.52 of the Rules of the Board relating to Back Pay Specification[2]; § 10 of the National Labor Relations Act, 29 U.S.C.A. § 160(b); numerous decisions commenting upon unusual and unreasonable delay; and the Five Year Statute of Limitations, 18 U.S.C.A. § 3282.

In effect, counsel for the Board has admitted the obvious assertion of the employer that there has been inordinate delay in this case. While the delay is regrettable, we are unwilling to exercise the power of this Court to permanently stay the administrative proceedings instituted by the Board and therefore, the motion for a permanent stay is hereby DENIED. It seems appropriate to comment that the administrative proceedings involved remain subject to judicial review. At this time we simply conclude that we should not take any further action with respect to the proceedings before the Board prior to such time as a final order is entered by the Board, or other final action taken, without passing upon the question of the court's jurisdiction to grant such permanent stay or whether the court has or ought to exercise the power to stay such administrative proceedings.

---

[1] "We begin by stating to the Court that no decision of the Federal appellate judiciary has heretofore considered a motion of this type, asking that the National Labor Relations Board be stayed from holding a back pay hearing where the Board had ordered that employees be reinstated and the Court had enforced the order."

[2] "SEC. 102.52 Initiation of proceedings.—After the entry of a court decree enforcing an order of the Board directing the payment of back pay, if it appears to the regional director that there has arisen a controversy between the Board and a respondent concerning the amount of back pay due which cannot be resolved without a formal proceeding, the regional director shall issue and cause to be served upon the respondent a backpay specification in the name of the Board. The specification shall contain or be accompanied by a notice of hearing before a trial examiner at a place therein fixed and at a time not less than 15 days after the service of the specification."

G. C. 4(j)

UNITED STATES OF AMERICA
BEFORE THE
NATIONAL LABOR RELATIONS BOARD
DIVISION OF TRIAL EXAMINERS
WASHINGTON, D. C.

Cases Nos. 15-CA-721, 15-CA-723

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

and

AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO

## RESPONDENT'S AMENDED ANSWER TO BACKPAY SPECIFICATION

Now comes J. H. RUTTER-REX MANUFACTURING CO., INC., respondent herein, and in reply to the Backpay Specification filed herein on November 16, 1961, herewith files its amended answer thereto, and avers:

**1**

Respondent denies that the persons listed in Article I of the Specification are entitled to any payments of any amounts whatsoever under the terms of the BOARD'S Order of February 13, 1956. Except to the extent hereinafter noted in the amended answer, it is submitted that the persons listed in Article 1 of the Specification were respondent's employees who went out on strike on or after April 21, 1954. Except to the extent hereinafter admitted, it is denied that applications for reinstatement were received from the said striking employees at any time between the date on which the strike terminated and the date on which the Backpay Specification was filed.

**2**

Answering Article II of the Specification, respondent objects to the method used by the BOARD in computing

backpay for the reasons stated in detail in the memorandum heretofore filed in these proceedings. Briefly stated, respondent objects to the BOARD'S method of selecting only experienced and superior employees in Groups 1 through 5 who show earnings in each bi-weekly period for use in determining the gross interim earnings of the claimants in lieu of computing an average based upon the earnings of all employees in each group who show earnings during the quarterly payroll periods. Respondent attaches hereto as part of this amended answer *Schedule* covering the period from March 1955 to December 1961 and reflecting the actual average earnings on a quarterly basis of all of the employees in each group. Respondent reiterates its denial that any amounts are due to any claimants named in the Specification under the terms of the BOARD Order, but alleges, in the alternative, that should any individual in any of the groups referred to in the Specification be held to have been entitled to reinstatement prior to the date on which reinstatement occurred, then that gross backpay in the case of that individual should be determined for the period in question in accord with the attached schedule for the group in which the claimant falls.

3

Answering Article III of the Specification, respondent denies the correctness of the computations set forth in Article III, and denies that it is indebted to any claimant in any amount for the reasons hereinafter stated. With regard to those columns in the schedules referred to as "Remarks", "Interim Earnings" and "Expenses", respondent is without knowledge regarding any of the information reflected in said columns, but alleges on information and belief that in most, if not all, of the cases referred to in the schedule in Article III, the interim earnings of the alleged claimants were higher than reflected in the schedule.

4

Answering Article IV of the Specification, respondent denies that it is indebted to any of the persons named

therein for any amounts whatsoever, and further denies that any of the persons named in said Article are entitled to reinstatement as of this date, all for the reasons to be more definitely stated hereinafter.

5

Further answering, respondent avers the following as special defenses to the allegations of the Specification:

(a) Respondent is in compliance with the Order of the BOARD dated February 13, 1956 in that the Order required reinstatement of the returning strikers upon application for reinstatement, and none of the alleged claimants in the Specification applied for reinstatement on any date subsequent to the BOARD Order which has been enforced in these proceedings.

(b) Respondent has no obligation to rehire any striker who did not in good faith submit an application for reinstatement, since applications were received from and on behalf of many strikers who were not serious about returning to work, but who submitted or permitted the submission of an application in their names upon instructions from the union without an intention of accepting employment in respondent's plant.

(c) Respondent is not obligated to rehire any employee who engaged in improper conduct during the strike.

(d) Respondent had no obligation to rehire any employee on the basis of the union's letter of April 4, 1955, which terminated the strike.

(e) Respondent is not obligated to rehire any employee for whom respondent had no job available.

(f) Respondent was not obligated to rehire any applicant for reinstatement who did not seek reinstatement within a reasonable time.

(g) Under the terms of the Order, respondent is and was unable to determine which replacements should have been dismissed in order to reinstate a striker who applied for reinstatement, since the BOARD did not determine the date upon which the strike which was economic in origin became an unfair labor practice strike, and since persons hired before the strike became an un-

fair labor practice strike were not subject to dismissal in order to create an opening for strikers applying for reinstatement.

(h) Respondent, in complying with the BOARD Order, was entitled to consider the nature of its balanced line operation and the need to maintain production at an efficient level in order to avoid disrupting respondent's plant by the indiscriminate use of inexperienced personnel in key positions in the individual lines, a practice which would have destroyed efficiency and resulted in less production and fewer jobs.

(i) The Regional Director and/or the BOARD, by delaying for approximately 4½ years the filing of the Backpay Specification, and by failing to cooperate with respondent in working out the details of compliance, has failed to discharge the duty placed upon the BOARD by Section 102.52 of the Rules and Regulations of the BOARD, and has failed to comply with the affirmative requirements of Section 6 of the Administrative Procedure Act. By such failure to comply with the duties imposed by law, the Regional Director and/or the Board has prejudiced the rights of the respondent by permitting the accrual of excessive backpay claims and has made difficult, if not impossible, an adequate defense to the facts alleged in the Backpay Specification. Claimants and witnesses and other evidence which would have been available if this matter had been timely handled are not available at this late date. In support of this defense, respondent sets forth the chronology of the case since the termination of the strike in April of 1955:

(i) On June 29, 1955, the union filed a charge against respondent in Case No. 15-CA-843 of the docket of the BOARD for the Fifteenth Region, containing the following allegation:

"On or about April 5, 1955, the Employer, by its officers, agents, and representatives, has discriminatorily refused to reinstate or reemploy striking employees, whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America,

> CIO, or because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees."

This charge was amended on August 2, 1955 and amended again on January 12, 1956. The original charge and the amendments were accompanied by a list of the names of the striking employees allegedly discriminated against.

(ii) On February 13, 1956, the BOARD issued an Order directing respondent to reinstate the striking employees, which Order reads in part as follows:

> "(b) Upon application, offer immediate and full reinstatement to their former or substantially equivalent positions to all those employees who went on strike on April 21, 1954, or thereafter without prejudice to their seniority or other rights and priivleges, dismissing if necessary all persons hired on or after that date, and make such applicants whole for any loss of pay suffered by reason of the respondent's refusal, if any, to reinstate them, in the manner set forth in the section of the Intermediate Report entitled 'The Remedy';"

(iii) On June 10, 1957, the Court of Appeals for the Fifth Circuit rendered its opinion enforcing the BOARD Order of February 13, 1956.

(iv) On October 31, 1957, the BOARD approved the union's withdrawal of the charges filed by the union in Case No. 15-CA-843 on June 29, 1955, August 2, 1955 and January 12, 1956, in which respondent had been charged with having discriminatorily refused to reemploy the striking employees. The BOARD's letter approving the withdrawal of said charges is attached hereto and marked *Exhibit A.*

(v) On September 11, 1957, respondent's representative responded to the BOARD's request for informa-

tion concerning the rehiring of returning strikers in the form of the letter attached hereto and marked *Exhibit B.*

(vi) By letter dated October 24, 1957, in further response to the BOARD'S request for information regarding the progress made in rehiring the strikers, respondent's representative mailed to the BOARD a list of employees on the payroll of respondent at the time the strike was called who applied for work after the strike terminated. The list submitted by respondent also reflected the date that each employee submitted an application for work and the date each was returned to work. The letter written by respondent's representative is attached hereto and marked *Exhibit C.* The list of employees to which the letter refers is attached and marked *Exhibit C* [1].

(vii) On October 31, 1957, again responding to the BOARD'S REQUEST, respondent, through its representative, submitted a copy of its payroll for April 17, 1954, reflecting the rate per hour and the earnings of the employees for the payroll period. This letter is attached hereto and marked *Exhibit D.*

(viii) On November 7, 1957, after respondent had furnished to the BOARD all of the information which the BOARD had requested concerning the names of the employees on the strike payroll, the names of the strikers who had applied for reinstatement, the dates on which certain applicants had been rehired, and the earnings of said employees, respondent's representative addressed to the BOARD a letter in the form attached hereto and marked *Exhibit E.* This letter contained the following request to the BOARD:

> "If any instance of a failure to fully comply with the order is brought to your attention, we would appreciate your contacting us promptly so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree."

This letter was written so that respondent, which has at all times and in good faith attempted to comply with the BOARD's Order as enforced by the Court of Appeals for the Fifth Circuit, might have the cooperation of the BOARD in promptly acting upon any contention that respondent had not complied with its obligation to offer employment to any strikers seriously seeking reemployment for whom a job was available. Respondent's purpose was, of course, to avoid incurring a backpay obligation in any instance in which respondent might consider that its inability or unwillingness to rehire or delay in rehiring a particular striker or strikers was justified under the opinion of the Court of Appeals for the Fifth Circuit. If the BOARD did not agree, respondent wanted to be informed of that disagreement so that appropriate remedial action might be taken promptly.

(ix) Following the BOARD'S approval of the withdrawal of the charges of discrimination against the returning strikers, and following the BOARD'S receipt of the letter from respondent's representative asking the BOARD'S cooperation in working out the details of compliance, respondent heard nothing from the BOARD with regard to this question of compliance. From November 7, 1957, on which date respondent requested the BOARD to bring any instance of non-compliance to its attention so that corrective measures could be taken, nothing whatsoever was heard from the BOARD with regard to enforcement until March 22, 1960, on which date the BOARD addressed a letter to respondent in the form reflected in *Exhibit F*, in which the BOARD admitted that it had delayed action in this case "over a period of several years". On November 16, 1961, 4 years and 5 months after the date of the opinion of the Court of Appeals, without any prior presentation of its claim to the respondent, and without any attempt to work out an amicable settlement of any claim with respondent or its representatives (in spite of the fact that under customary BOARD practice an effort would be made to work out the details of compliance

amicably), the BOARD filed the Specification in this case claiming that liability in the sum of $342,744.07 had accrued against the respondent, and that the said sum was increasing day by day.

Because of the chronology set forth in sub-paragraphs (i) through (ix) herein, respondent avers, *first*, that the Regional Director and the BOARD should be estopped from proceeding with the Backpay Hearing for the reason that the amounts of money put at issue by the filing of the Backpay Specification were increased from a figure which would have been nominal to a figure which threatens the existence of respondent's business by one fact alone, and that is the inordinate delay of the Regional Director and the BOARD in these proceddings, all in violation of the reasonable promptness required by the Rules and Regulations of the BOARD and by the Administrative Procedure Act, 5 USC Section 1005 (a), which required the BOARD to proceed with reasonable dispatch to the conclusion of the compliance phase of this proceeding. *Alternatively*, that the Examiner and the BOARD should take into consideration the unwarranted and illegal delays of the Regional Director in making a determination of the amount of backpay due to any individual applicant in the event that the Examiner or the Board should ultimately find any individual instance in which respondent has not fully complied with the BOARD'S Order as enforced herein.

Respondent avers that a substantial part of the BOARD'S delay in this case was and is due to its desire to cooperate with and assist the Amalgamated Clothing Workers of America, AFL-CIO in its negotiations with respondent contrary to the BOARD'S affirmative duty to work out the details of compliance with dispatch and with consideration of the devastating effect of delay upon the respondent; that between October 31, 1957 and March 9, 1960, respondent and the union were negotiating in an effort to reach agreement on a contract, during all of which time the BOARD took no action toward fulfilling its duties to the Court and to respondent in working out the details of compliance; that the last meeting between

respondent and the union was on March 9, 1960, which meeting terminated with a refusal by the attorney for the union to sign a contract in written form which respondent's attorney had agreed to sign on the company's behalf; that from March 9, 1960 to the date of the filing of this answer, the union has not requested a further meeting; that on March 22, 1960, immediately following the last negotiation meeting of March 9, 1960, respondent received a letter from a representative of the BOARD in the form attached hereto and marked *Exhibit F.* On information and belief, respondent alleges that, at the request of the union, the BOARD took no action in this case while negotiations were continuing and until requested by the union to do so after the negotiating meeting of March 9, 1960.

(j) Respondent's maximum obligation to reinstate on any given date was limited to the number of replacements hired to fill jobs vacated by the strikers on and after the date upon which the strike became an unfair labor practice strike. Many of the jobs which existed on the date of the strike, April 21, 1954, no longer existed on April 4, 1955, due to the radical curtailment of respondent's business which followed the cancellation of government contracts and the loss of commercial accounts. As a result of the reduction in the volume of respondent's work caused by the strike, the number of available jobs was greatly reduced, which was a primary factor in making it impossible to reinstate many applicants on the date of their application.

(k) The backpay claims alleged in the Specification are barred by laches by reason of the BOARD'S failure to file the Specification for a period of 4½ years.

(l) The backpay claims set forth in the Specification are prescribed by Article 3534 of the Louisiana Civil Code which provides that an action by employees for wages is prescribed by the passage of one year.

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Further answering, respondent alleges that it is not liable to the individual claimants for the various reasons set forth in Article 5 hereof, and, more particularly:

(a) Respondent was not and is not obligated to rehire the claimants listed in the *Schedule* attached hereto as a part of this sub-paragraph because of improper conduct engaged in by them during the strike.

(b) Respondent received no application for reinstatement from the claimants listed in the *Schedule* attached hereto as a part of this sub-paragraph at any time after the strike terminated.

(c) Respondent reinstated the claimants listed in the *Schedule* attached hereto as a part of this sub-paragraph within five (5) days of application.

(d) Respondent has no obligation to any of the individuals listed in the *Schedule* attached hereto as a part of this sub-paragraph for the period between the date of application shown after each name listed and the date of hiring shown after each name for the reason that the lapse of time between the two dates was attributable to the fact that no vacancy in the job classification applied for or in any equivalent classification existed on the date of application because the volume of work in the plant had been substantially reduced by loss of contracts, or because of difficulties inherent in rebuilding the balanced line operation, or because the available jobs were filled by employees which the BOARD Order did not require the company to dismiss in order to create vacancies for returning strikers.

(e) Respondent has no liability to the claimants named in the *Schedule* attached hereto as a part of this sub-paragraph due to the fact that respondent requested said claimants to report for work upon the dates shown opposite their names but that the said claimants did not respond to the request. Respondent lists on said *Schedule* the date on which each claimant applied and the date on which that claimant was requested to report for work, and in the event that there is a lapse of more than five (5) days between the two dates, respondent avers that that period was due to the fact that there were no openings available until the latter date for the reasons set forth in sub-paragraph (d) of this Article.

(f) Respondent has no obligation to the claimants listed in the *Schedule* attached hereto as a part of this

sub-paragraph because they advised company representatives that they were not interested in returning to work at respondent's plant or because they were not actually available for work when they applied.

(g) Respondent has no obligation to the claimants listed in the *Schedule* attached hereto as a part of this sub-paragraph because they did not apply for reinstatement within a reasonable time. Respondent lists opposite each name in said Schedule the date of application.

(h) Respondent has no obligation to the claimants listed in the *Schedule* attached hereto as a part of this sub-paragraph because of the fact that each of said claimants was rehired on the date indicated opposite his or her name but was later terminated on the date indicated for unsatisfactory performance on the job. Respondent also lists opposite each name the date on which said employee applied for reinstatement, and if there was a lapse of more than five (5) days between the date of application and the date of rehiring, the said lapse was due to the fact that there were no available openings on the date of application for the reasons set forth in sub-paragraph (d) of this Article.

(i) Respondent has no obligation to the claimants listed in the *Schedule* attached hereto as a part of this sub-paragraph because they were not on the company's payroll at the time of the strike.

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Alternatively, and only in the event that the Examiner and the BOARD ultimately conclude that any claimant is entitled to backpay for any period whatsoever, then respondent avers that the gross backpay for any such claimant and for any such period shall be as reflected on the attached *Schedule* showing the average earnings of Groups 1 through 5 on a quarterly basis for the period beginning March 1955 and extending through December 1961. In the case of each claimant, gross interim earnings should be determined by reference to the quarterly average earnings on the attached Schedule for the group in which said claimant falls, subject to such credits and exclusions

as are proper under the law, but which are unknown to respondent at this time and which will be developed at the hearing by cross-examination of the individual claimants or otherwise.

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Finally, respondent avers that it has made a good faith effort to rehire all of the strikers who applied for reinstatement within a reasonable period after said application ,with the exception of those who had engaged in improper conduct during the strike, and consistent with the work available in the plant and respondent's need to maintain an efficient balanced operation, and that it has accordingly discharged its obligation under the BOARD Order as enforced by the Court of Appeals.

WHEREFORE, respondent prays that the Backpay Specification which is filed herein be dismissed, and that respondent be accorded such other relief as may be proper.

BROWN HERMAN SCOTT
& YOUNG
203 Ft. Worth Club Building
Ft. Worth 2, Texas

MONTGOMERY BARNETT BROWN
& READ
806 N B C Building
New Orleans 12

By /s/ H. J. Read
HENRY J. READ

Attorneys for
J. H. RUTTER-REX
MANUFACTURING CO., INC.

HEDULE OF AVERAGE QUARTERLY EARNINGS
Groups 1 through 5
S REFERRED TO IN ARTICLES 2 and 7

| Quarters | Group 1 Avg. per quarter | Group 1 Earnings after | Group 2 Avg. per quarter | Group 2 Earnings after | Group 3 Avg. per quarter | Group 3 Earnings after | Group 4 Avg. per quarter | Group 4 Earnings after | Group 5 Avg. per quarter | Group 5 Earnings after |
|---|---|---|---|---|---|---|---|---|---|---|
| March 31, 1955 | | 601.66 | | 452.13 | | 418.57 | | 361.78 | | |
| June 30, 1955 | | 612.42 | | 536.95 | | 489.20 | | 487.75 | | |
| Sept. 30, 1955 | | 576.04 | | 492.24 | | 507.64 | | 425.36 | | |
| Dec. 31, 1955 | 487.07 | 624.60 | 487.42 | 444.36 | 483.00 | 509.35 | 495.90 | 555.17 | 366.54 | |
| March 31, 1956 | | 626.02 | | 596.47 | | 646.23 | | 789.13 | | |
| June 30, 1956 | | 549.20 | | 534.76 | | 512.44 | | 804.81 | | |
| September 30, 1956 | | 545.63 | | 473.57 | | 542.49 | | 674.35 | | |
| December 31, 1956 | 541.60 | 274.44 | 529.11 | 511.65 | 565.03 | 530.14 | 726.60 | 632.46 | 379.20 | |
| March 31, 1957 | | 488.52 | | 469.95 | | 572.60 | | 703.11 | | |
| June 30, 1957 | | 477.59 | | 242.69 | | 511.87 | | 449.90 | | |
| September 30, 1957 | | 783.96 | | 367.39 | | 601.32 | | 496.64 | | |
| December 31, 1957 | 671.48 | 543.57 | 338.01 | 242.64 | 549.25 | 519.82 | 560.74 | 503.00 | 394.28 | |
| March 31, 1958 | | 472.74 | | 489.09 | | 559.50 | | 669.37 | | |
| June 30, 1958 | | 415.02 | | 325.73 | | 587.64 | | 674.12 | | |
| September 30, 1958 | | 604.63 | | 362.55 | | 419.42 | | 588.70 | | |
| December 31, 1958 | 583.91 | 604.14 | 401.45 | 534.33 | 493.03 | 466.51 | 636.44 | 643.48 | 399.45 | |
| March 31, 1959 | | 716.87 | | 663.59 | | 717.41 | | 871.65 | | |
| June 30, 1959 | | 635.02 | | 413.40 | | 529.64 | | 687.29 | | |
| September 30, 1959 | | 502.71 | | 603.19 | | 600.92 | | 767.39 | | |
| December 31, 1959 | 713.95 | 617.64 | 489.39 | 421.37 | 559.51 | 441.29 | 728.24 | 588.34 | 439.35 | |
| March 31, 1960 | | 756.34 | | 643.73 | | 710.18 | | 792.50 | | |
| June 30, 1960 | | 749.53 | | 560.25 | | 636.78 | | 678.43 | | |
| September 30, 1960 | | 799.44 | | 592.34 | | 738.03 | | 666.04 | | |
| December 31, 1960 | 779.63 | 624.74 | 586.14 | 548.24 | 697.51 | 550.45 | 686.94 | 548.25 | 446.42 | |
| March 31, 1961 | | 716.62 | | 544.86 | | 622.49 | | 752.76 | | |
| June 30, 1961 | | 724.63 | | 562.08 | | 754.84 | | 791.27 | | |
| September 30, 1961 | | 892.74 | | 591.19 | | 654.32 | | 702.02 | | |
| December 31, 1961 | 877.81 | 702.11 | 587.55 | 652.05 | 671.10 | 655.00 | 746.08 | 732.13 | 453.48 | |

EARNINGS

2 and 7

| Group 1 | | Group 2 | | Group 3 | | Group 4 | | Group 5 | |
|---|---|---|---|---|---|---|---|---|---|
| 2 | | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| | Avg. earning per quarter | | Avg. earning per quarter | | Avg. earning per quarter | | Avg. earnings per quarter | | Avg. earnings per quarter | |
| | 601.66 | | 452.13 | | 418.57 | | 361.78 | | 460.19 | |
| | 522.42 | | 536.95 | | 489.20 | | 487.75 | | 336.77 | |
| July Avg Quarter Earnings | 576.04 | | 492.21 | | 507.64 | | 625.36 | | 336.23 | |
| 470.71 | 524.60 | 487.47 | 444.36 | 488.00 | 509.95 | 495.90 | 555.17 | 366.54 | 346.35 | |
| | 626.02 | | 596.47 | | 645.23 | | 789.13 | | 426.32 | |
| | 549.20 | | 534.76 | | 512.44 | | 804.81 | | 417.58 | |
| | 445.63 | | 473.57 | | 542.49 | | 674.35 | | 365.38 | |
| 541.60 | 274.44 | 529.11 | 511.65 | 565.03 | 530.14 | 726.60 | 632.46 | 379.26 | 295.08 | |
| | 488.52 | | 469.95 | | 572.60 | | 703.11 | | 408.69 | |
| | 677.59 | | 242.69 | | 511.87 | | 499.90 | | 410.62 | |
| | 783.96 | | 367.39 | | 601.32 | | 496.64 | | 304.39 | |
| 671.48 | 543.57 | 338.01 | 242.64 | 549.25 | 519.82 | 660.74 | 523.00 | 394.28 | 356.27 | |
| | 272.74 | | 489.09 | | 559.50 | | 669.37 | | 338.28 | |
| | 415.02 | | 325.73 | | 587.64 | | 674.12 | | 425.29 | |
| | 204.63 | | 362.55 | | 419.42 | | 588.70 | | 390.17 | |
| 583.91 | 204.14 | 401.45 | 534.33 | 493.03 | 466.51 | 636.46 | 643.48 | 399.45 | 402.14 | |
| | 767.87 | | 663.59 | | 717.41 | | 871.65 | | 505.08 | |
| | 435.02 | | 413.46 | | 529.64 | | 687.29 | | 414.40 | |
| | 302.71 | | 603.19 | | 600.12 | | 767.39 | | 460.71 | |
| 713.95 | 617.64 | 489.39 | 421.37 | 555.51 | 441.29 | 728.24 | 588.34 | 439.35 | 372.58 | |
| | 756.34 | | 643.73 | | 710.18 | | 792.50 | | 516.69 | |
| | 749.53 | | 560.25 | | 636.78 | | 678.43 | | 450.11 | |
| | 799.44 | | 592.34 | | 738.03 | | 666.04 | | 422.10 | |
| 779.63 | 624.74 | 586.14 | 548.24 | 497.51 | 550.45 | 686.94 | 598.25 | 446.42 | 404.39 | |
| | 767.62 | | 544.86 | | 622.49 | | 752.76 | | 436.28 | |
| | 724.62 | | 562.08 | | 754.84 | | 791.27 | | 417.65 | |
| | 892.74 | | 591.19 | | 654.37 | | 702.02 | | 457.64 | |
| 867.87 | 752.11 | 587.55 | 652.05 | 671.10 | 655.00 | 746.08 | 732.13 | 453.48 | 562.53 | |

n

SCHEDULE REFERRED TO IN ARTICLE 6(a)

BICKHAM, Amanda
BROWN, Elvira
DANDRIDGE, Dorothy
GREEN, Jimmie Lou
GRIFFIN, Audrey Mae
HAYNES, Gustavia
HICKS, Rose Marie
LANIER, Elmarie
LANIER, Ernestine
LARRIEU, Louis
LEWIS, Doris
LEWIS, Leonard
SMITH, Leonardine
SMITH, Octavia
WASHINGTON, Lula Mae

SCHEDULE REFERRED TO IN ARTICLE 6(b)

ALEXANDER, Estrella
ALEXCEE, Irene
ALLEN, Victoria
BANKS, Marion
BARNES, Sanora
BERRY, Ira Mae
BREAUD, Leonce
COLUMBUS, Juanita
COOPER, Bessie
CORNISH, Estell
DAVIS, Georgiana
DAVIS, Lenora
EDGERSON, Shirley Mae
FULTON, Vera
GAMBLE, Indiana Plummer
HAYNES, Ida
HILL, Bertha
HOLDEN, Helen
HUBBARD, Ruth
JOHNSON, Eunice
JOHNSON, Olivia
LANDRY, Lila Coston
LaROCHE, Sophie
LESENE, Amelia
LODGE, Kathleen
MARTIN, Eliska
MARTIN, Noel
MORRISON, Eloise Epps
MYERS, Mandy
OCAMPO, Desderia
RANDALL, Edna
RUBIT, Dorothy B.
THORNTON, Rosalie
WALKER, Hattie
WALKER, Marjorie
WALLACE, Alma
WASHINGTON, Dorothy
WEATHERSBY, Dorothy

SCHEDULE REFERRED TO IN ARTICLE 6(c)

| Claimant | Applied | Hired |
|---|---|---|
| CARTER, Mary Louise | 4/20/55 | 4/25/55 |
| CERF, Raymond | 5/19/55 | 5/19/55 |
| CLAY, Helen | 9/20/55 | 9/20/55 |
| HARRIS, Freddie | 5/ 9/55 | 5/10/55 |
| HOLLINGSHED, Jennie | 10/10/55 | 10/10/55 |
| PATTERSON, Elnora | 6/14/55 | 6/15/55 |
| WASHINGTON, Beatrice | 8/ 3/55 | 8/ 3/55 |
| WILLIAMS, Helen | 2/22/56 | 2/22/56 |
| WILLIAMS, Marion | 1/24/56 | 1/24/56 |

SCHEDULE REFERRED TO IN ARTICLE 6(d)

| Claimant | Applied | Hired |
|---|---|---|
| ALEXANDER, Iworner | 4/19/55 | 4/25/55 |
| ALONZO, Caledonia | 4/20/55 | 5/ 4/55 |
| ANDERSON, Beatrice | 4/18/55 | 7/12/55 |
| ANDERSON, Carrie | 4/22/55 | 7/18/55 |
| ANDERSON, Dora | 4/18/55 | 5/ 2/55 |
| ANGRUM, Ida Mae | 8/15/55 | 10/ 3/55 |
| AUGUST, Gloria | 4/15/55 | 7/25/55 |
| AULTMAN, Clarinda | 4/19/55 | 7/25/55 |
| BRIMMER, Bell | 4/11/55 | 5/26/55 |
| BROOKS, Millie | 4/20/55 | 7/26/55 |
| BROWN, Idele | 4/21/55 | 7/25/55 |
| BROWN, Margarite | 4/14/55 | 7/19/55 |
| BRYANT, Miriam | 4/27/55 | 5/12/55 |
| BURKHALTER, Ola Mae | 4/ 4/55 | 4/28/55 |
| BURNS, Elizabeth | 4/18/55 | 7/12/55 |
| CARR, Katie Ruth | 4/15/55 | 7/25/55 |
| COASTON, Lucille | 4/27/55 | 7/11/55 |
| WOODS, Wilhelmina | 4/21/55 | 8/19/55 |
| COSTON, Ethel | 4/15/55 | 5/23/55 |
| COURSEAULT, Shirley | 4/19/55 | 5/16/55 |
| CRAWFORD, Shirley Mae | 5/ 4/55 | 7/12/55 |
| CROPPER, Clara | 4/14/55 | 5/25/55 |
| DAVIS, Elvera | 4/14/55 | 7/20/55 |
| DAVIS, Thelma | 4/15/55 | 5/30/55 |
| DELPIT, Gloria | 5/11/55 | No vacancy in classification |
| DELPIT, Mathilda | 4/14/55 | 8/15/55 |
| DIXSON, Gloria Mae | 5/10/55 | No vacancy in classification |
| DRAKE, Elizabeth | 4/14/55 | 4/25/55 |
| DUCKETT, Norma | 4/15/55 | 8/ 3/55 |
| DUFAUCHARD, Arthemise | 4/15/55 | 4/28/55 |
| EDDINGTON, Isabella | 4/15/55 | 4/25/55 |
| EVANS, Alice | 4/14/55 | 7/12/55 |
| FARRIA, Vivian | 6/10/55 | 8/ 8/55 |
| FERGUSON, Perl | 4/11/55 | 8/ 8/55 |
| FOREMAN, Ethel | 7/11/55 | No vacancy in classification |
| FOUNTAIN, Geneva | 4/14/55 | 5/ 2/55 |
| FRANKLIN, Zearlee | 4/14/55 | 5/30/55 |
| GABRIEL, Geneva | 4/14/55 | 7/25/55 |

SCHEDULE REFERRED TO IN ARTICLE 6(d)—(Continued)

| Claimant | Applied | Hired |
|---|---|---|
| GANT, Mary | 4/ 8/55 | 7/18/55 |
| GIVENS, Katherine | 6/ 3/55 | No vacancy in classification |
| GREEN, Herise | 4/19/55 | 6/20/55 |
| GREEN, Louise | 4/15/55 | 4/28/55 |
| GRIFFIN, Ethel | 4/14/55 | 4/26/55 |
| GRIFFIN, Joyce | 5/11/55 | 5/23/55 |
| GUIDRY, Mary | 4/14/55 | 8/26/55 |
| HALL, Catherine | 4/20/55 | 6/ 3/55 |
| HAMILTON, Viola | 4/18/55 | 5/ 2/55 |
| HUGHES, Minnie Bell | 5/12/55 | 7/26/55 |
| JACKSON, Eleanora | 7/12/55 | 8/15/55 |
| JOHNSON, Louella | 4/20/55 | 8/ 3/55 |
| JOHNSON, Virginia | 4/29/55 | 8/ 5/55 |
| JONES, Edna | 4/19/55 | 4/22/55 |
| JONES, Shirley Mae | 10/28/55 | 12/ 7/55 |
| JOSHUA, Olivia | 5/10/55 | 6/ 6/55 |
| KEELER, Johnnie Mae | 4/25/55 | 8/ 4/55 |
| KELLY, Dorothy Harris | 5/25/55 | 5/17/55 |
| KIMBLE, Alnetta | 4/21/55 | 4/28/55 |
| LaROSE, Gertrude | 4/15/55 | 6/ 9/55 |
| LeBEAU, Edna | 4/18/55 | 5/ 5/55 |
| LEE, Ruby | 4/18/55 | 4/26/55 |
| McKENNIE, Leotha | 4/28/55 | 12/ 5/55 |
| MARGIN, Elenor | 4/11/55 | 8/ 8/55 |
| MARSHALL, Dorothy | 4/14/55 | 4/28/55 |
| MATTHEWS, Gloria | 5/ 5/55 | 7/25/55 |
| MONETTE, Roberta | 4/14/55 | 4/25/55 |
| MOTEN, Lena Dixon | 4/18/55 | 4/26/55 |
| NEWTON, Rosie Lee | 4/22/55 | 7/12/55 |
| NICHOLAS, Clotilde | 6/17/55 | 8/ 2/55 |
| PARKER, Shirley | 4/25/55 | 7/14/55 |
| PARNELL, Evone | 9/ /55 | No vacancy in classification |
| PENN, Gloria | 4/18/55 | 5/ 2/55 |
| PHILLIPS, Louise | 4/18/55 | 7/26/55 |
| POWELL, Melvina | 6/ 6/55 | 7/25/55 |
| RAPP, Gloria | 4/20/55 | 4/28/55 |
| RAY, Wilhelmina | 4/21/55 | No vacancy in classification |
| REED, Dorothy Kearney | 8/16/55 | No vacancy in classification |

SCHEDULE REFERRED TO IN ARTICLE 6(d)—(Continued)

| Claimant | Applied | Hired |
|---|---|---|
| REEVES, Nerlie | 4/27/55 | 6/15/55 |
| RICHARD, Pearl | 4/12/55 | 6/ 6/55 |
| RICHARDSON, Rose | 4/15/55 | 7/12/55 |
| RUBIT, Dorothy P. | 4/22/55 | 7/13/55 |
| SANDERS, Ada | 4/14/55 | 10/ 3/55 |
| SAWYER, Ellen | 4/22/55 | 5/11/55 |
| SCOTT, Dolores | 4/18/55 | 4/28/55 |
| SEATON, Rebecca | 4/19/55 | 5/16/55 |
| SIMPSON, Lilly Mae | 5/ 2/55 | 8/ 1/55 |
| SONIA, Rose Mary | 6/ 6/55 | 6/29/55 |
| STEWARD, Millie Lee | 4/21/55 | 7/25/55 |
| TAPLIN, Dorothy Mae | 4/18/55 | 5/ 3/55 |
| THOMAS, Lovenia | 4/25/55 | 7/13/55 |
| THOMAS, Mary | 4/15/55 | 6/13/55 |
| THOMAS, Midnonette | 8/ 5/55 | No vacancy in classification |
| THORNTON, Jesenu | 4/19/55 | 8/15/55 |
| VALENTINE, Hilda | 4/14/55 | 7/13/55 |
| WATSON, Mabel | 4/27/55 | 7/25/55 |
| WILLIAMS, Alice | 4/19/55 | 5/30/55 |
| WOODFORK, Yvonne | 5/ 9/55 | 7/25/55 |
| MAGEE, Vivian | 4/18/55 | 12/ 5/55 |
| MOORE, Leola | 5/ 4/55 | 8/ 4/55 |

SCHEDULE REFERRED TO IN ARTICLE 6(e)

| Claimant | Applied | Requested to Report | Date Reported (if at all) |
|---|---|---|---|
| BENTLEY, Helen | 8/ 8/55 | 9/19/55 and 3/29/56 | 9/18/61 |
| BROWN, Bessie | 4/19/55 | 7/11/55 | |
| BRUMFIELD, Ruth | 4/15/55 | 7/ /55 | Never reported |
| CHERI, Miriam | 5/ 3/55 | 3/29/56 | Never reported |
| CLEMENTS, Lilly Mae | 5/15/55 | 7/19/55 | 3/29/56 |
| DENLEY, Alice Theresa | 5/25/55 | 4/ 3/56 | Never reported |
| FERNANDEZ, Minnie Mae | 4/18/55 | 1956 | Did not report until 10/18/60 |
| GREEN, Dorothy | 4/18/55 | 7/13/55 | 12/ 5/56 |
| HEAD, Marguerite | 4/19/55 | 7/18/55 | Never reported |
| HENDERSON, Victoria | 5/17/55 | 7/20/55 | Never reported |
| JACKSON, Louise | 5/25/55 | 8/55 | Never reported |
| MEREDITH, Geraldine | 4/15/55 | 7/18/55 | Never reported |
| NASH, Adele | 4/21/55 | 4/28/55 | Never reported |
| PROCTOR, Mildred | 4/15/55 | 3/29/56 | 4/ 3/56 |
| RECASNER, Isabelle Jenkins | 7/24/55 | 12/28/55 | Never reported |
| WATFORD, Fanny Mae | 4/19/55 | 8/ 3/55 | 12/ 4/61 |
| WHITE, Beatrice | 4/20/55 | 7/22/55 | Never reported |
| WOODRIDGE, Estella | Unknown to respondent | Respondent attempted contact-claimant out of town-dates unknown to respondent | |
| ZENO, Audry | 4/15/55 | 7/12/55 | Never reported |

SCHEDULE REFERRED TO IN ARTICLE 6(f)

| | |
|---|---|
| CAMPBELL, Roe | (not interested) |
| DUN, Stella | (pregnant) |
| JOHNSON, Maybelle | (not interested) |
| ROBERTSON, Adele | (pregnant) |

SCHEDULE REFERRED TO IN ARTICLE 6(g)

| Claimant | Applied |
|---|---|
| BURNS, Hazel | 10/13/55 |
| FONTEBERRY, Cleo | 11/ 4/55 |
| GREEN, Genevieve | 11/ 9/55 |
| CLARK, Catherine Jeff | 1/25/56 |
| JOLLY, Ruth Joyce | 11/ 7/55 |
| LEARSON, Dorothy White | 10/ 6/58 |
| LOTTEN, Herbert | 11/ 7/55 |
| LYONS, Lorraine | 5/11/56 |
| MONTGOMERY, Bessie Brown | 1957 |
| NEWMAN, Marietta | 3/12/58 |
| PARKER, Anna | 10/ 6/58 |

SCHEDULE REFERRED TO IN ARTICLE 6(h)

| Claimant | Applied | Hired | Discharged |
|---|---|---|---|
| BOWLES, Doris | 4/27/55 | 8/ 3/55 | 9/ 2/55 |
| BOZONIER, Marguerite | 4/18/55 | 8/ 5/55 | 8/23/55 |
| DARENSBOURG, Irma Ray | 6/17/55 | Not indicted in personnel file | Quit |
| FRANCES, Edna | 4/14/55 | 7/55 | 8/12/55 |
| LEWIS, Audrey Ann | 4/14/55 | 7/13/55 | 8/23/55 |
| LOCKETT, Marie | 4/15/55 | 8/ 3/55 | 8/17/55 |
| MARSHALL, Willie Lee | 8/16/55 | 8/29/55 | 12/29/55 |
| MOORE, Orelia | 4/22/55 | 5/ 2/55 | 5/10/55 |

SCHEDULE REFERRED TO IN ARTICLE 6(i)

BROWN, Evangeline Clark
JOHNSON, Verna
ROLLINS, Geraldine
SHELTON, Clara
TAYLOR, Mary Lee

## AFFIDAVIT

ORLEANS PARISH
LOUISIANA

Personally came and appeared EUGENE J. RUTTER, who, after being duly sworn, deposed and said that he is the President of J. H. RUTTER-REX MANUFACTURING COMPANY, INC., respondent in the foregoing amended answer; that he has read the same and knows the contents thereof and that the same are true and correct. In any instance in which an allegation is made on information and belief, respondent believes said allegation to be true.

/s/ Eugene J. Rutter
EUGENE J. RUTTER

SWORN TO AND SUBSCRIBED
January 29, 1963.

/s/ Peter H. Beer
Notary Public
My Commission is for Life

## CERTIFICATE

I CERTIFY that I have served an original and four copies of the above and foregoing amended answer upon the Regional Director for the Fifteenth Region of the NATIONAL LABOR RELATIONS BOARD by causing the same to be delivered to his office in New Orleans, this 29th day of January, 1963.

/s/ H. J. READ
HENRY J. READ

EXHIBIT A

15-95

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone EX 2411

October 31, 1957

Re: J. H. Rutter-Rex Manufacturing Company
New Orleans, Louisiana
15-CA-843

J. H. Rutter-Rex Manufacturing Co.,
3725 Dauphine Street
New Orleans, 17, Louisiana

Gentlemen:

This is to advise that the Charge in the above-captioned matter has, with my approval, been withdrawn without prejudice.

Very truly yours,

/s/ John F. LeBus
JOHN F. LEBUS
Regional Director

cc: Amalgamated Clothing Workers
of America, AFL-CIO
2106 St. Bernard Avenue
New Orleans, Louisiana

cc: Mr. Philip Lampert, Regional Counsel
Amalgamated Clothing Workers of America
333 S. Ashland Blvd.
Chicago 7, Illinois

Original mailed to Mr. Henry Read

EXHIBIT B

LAW OFFICES
ERY, BARNETT, BROWN & READ
MONTGOME ational Bank of Commerce Building
804-807 Na New Orleans 12, La.

gomery
Richard B. Montgtt
Walter M. Barnet
Wood Brown
Henry J. Read nmond
John Phelps Ham
Peter H. Beer ad, III
John Walker Rea
Albert Mintz

September 11, 1957

Received, Sep. 12, 1957,
l Office, New Orleans 13, La., NLRB.
15th Regiona

Relations Board
National Labor lding
820 Lowich Bui s Avenue
2026 St. Charle a.
New Orleans, L

*Attention:* Mr. Fox

Re: J. H. Rutter-Rex-Mfg. Co.
15-CA-721 and 15-CA-723

Dear Sirs:

This will adv ise that the notice which is a part of the decree was post ed in the New Orleans plants of the employer as of Se ptember 10th.

The writer h as passed on to the employer the request of the Board for such records as would be covered by Section 2 (c) of the decree and we will advise you as soon as the necessary records have been assembled.

With reference to the posting of the notice in the Franklinton plant, the writer discussed with Mr. Paschal

the question of whether or not the notice which is a part of the decree should properly be posted in Franklinton in view of the fact that the unit for which the Amalgamated Clothing Workers of America has been certified is limited to the New Orleans employees. Mr. Paschal suggested the possibility of a stipulation which would form the basis of an amendment to the decree insofar as the form of the notice to be posted in Franklinton is concerned. To this end we suggest an amendment to the notice which would exclude any reference to the respondent's obligation to bargain with a particular union upon request, and we would appreciate your advising in due course whether the general counsel is disposed to join in a stipulation to that effect.

Yours very truly,

MONTGOMERY, BARNETT, BROWN & READ

By /s/ H. J. Read
HENRY J. READ

EXHIBIT C

LAW OFFICES

MONTGOMERY, BARNETT, BROWN & READ
804-807 National Bank of Commerce Building
New Orleans 12, La.

Richard B. Montgomery
Walter M. Barnett
Wood Brown
Henry J. Read
John Phelps Hammond
Peter H. Beer
John Walker Read, III
Albert Mintz

October 24, 1957

Received, Oct. 25, 1957,
15th Regional Office, New Orleans 13, La., NLRB.

National Labor Relations Board
820 Lowich Building
2026 St. Charles Avenue
New Orleans, La.

*Attention:* Mr. Fox

Re: J. H. Rutter-Rex-Mfg. Co.
15-CA-721 and 15-CA-723

Dear Sirs:

Enclosed is a list of the employees on the payroll of the company at the time that the strike was called who applied for work after the strike terminated. Also reflected is the date each applied for work following the termination of the strike and the date they were actually returned to work.

Yours very truly,

MONTGOMERY, BARNETT, BROWN & READ

By /s/ Henry J. Read
HENRY J. READ

nb
Encl.

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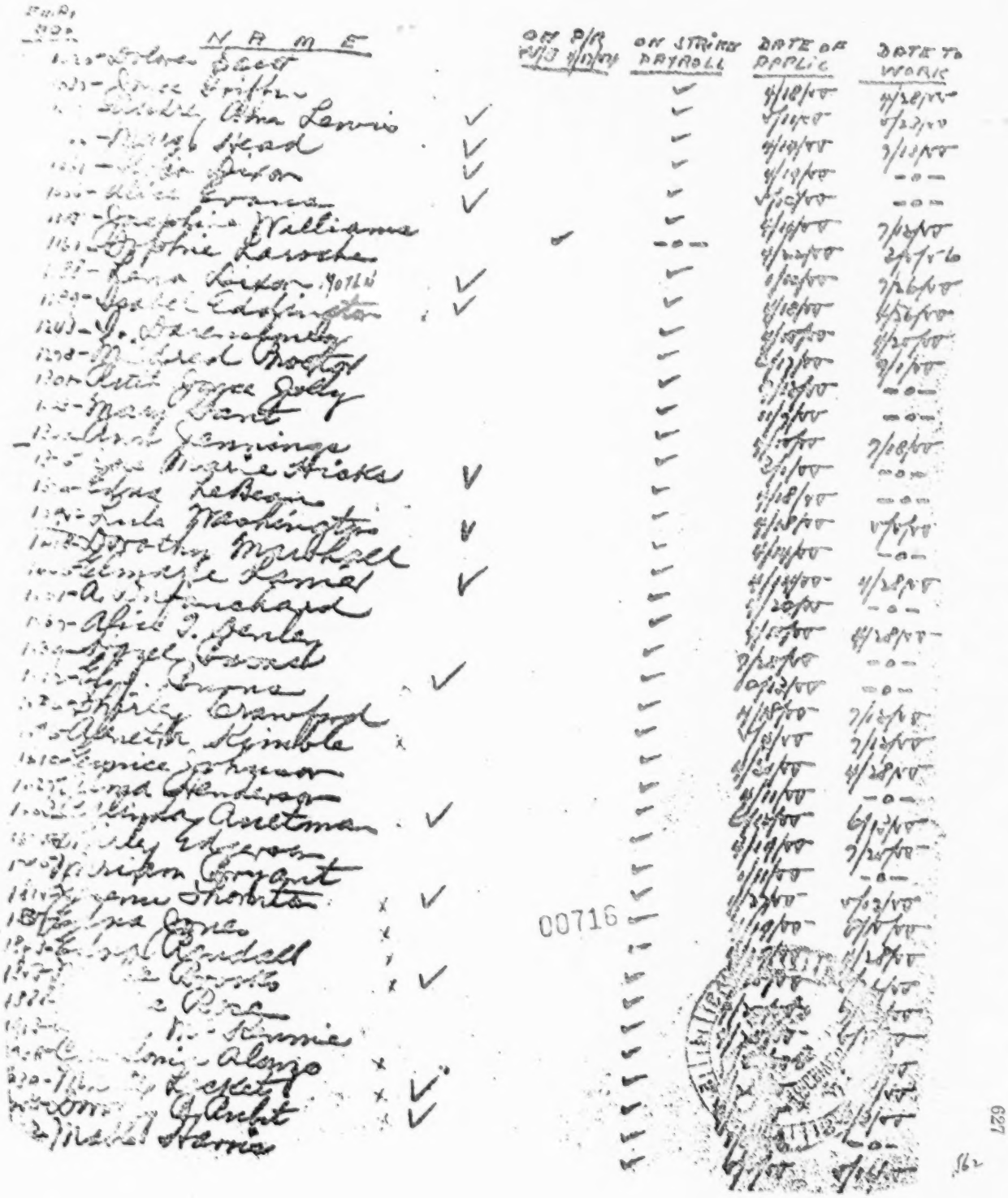
Exhibit C1

| NAME | | ON P/R W/E [illegible] | ON STRIKE PAY ROLL | DATE OF STRIC | DATE TO WORK |
|---|---|---|---|---|---|
| - [illegible] Caplin | | | ✓ | [illegible] | 7/3/37 |
| - Ida Sanders | ✓ | | ✓ | 9/10/37 | 10/3/37 |
| - Emitavia Haynes | x ✓ | | ✓ | 9/10/37 | --- |
| - Irene Woodford | ✓ | | ✓ | 7/9/37 | 7/20/37 |
| - Melvina Powell | | | ✓ | 6/[illegible]/37 | 7/20/37 |
| - Marjorie Wagner | | ✓ | --- | 6/22/37 | --- |
| - Lyra Powell | x ✓ | | ✓ | 6/22/37 | 8/3/37 |
| - Rae Campbell | | | ✓ | [illegible] | --- |
| - Lorraine Lyons | x ✓ | | ✓ | [illegible] | --- |
| - Marguerite Crum | x ✓ | | ✓ | [illegible] | 7/19/37 |
| - Linda - Magee | ✓ | | ✓ | [illegible] | [illegible] |
| - Evelina Michelet | | | ✓ | [illegible] | --- |
| 235 - Elonie Agee | | | ✓ | [illegible] | [illegible] |
| - Victor Henderson | ✓ | | ✓ | [illegible] | --- |
| - Lyra Worton | | | ✓ | [illegible] | [illegible] |
| - Elvira Brown | ✓ | | ✓ | [illegible] | --- |
| - [illegible] Hemphead | ✓ | | ✓ | [illegible] | [illegible] |
| - [illegible] Griffin | | | ✓ | [illegible] | [illegible] |
| - [illegible] Johnson | ✓ | | ✓ | [illegible] | [illegible] |
| - [illegible] Newton | ✓ | | ✓ | [illegible] | [illegible] |
| - [illegible] | | | ✓ | [illegible] | [illegible] |
| - [illegible] | | | ✓ | [illegible] | [illegible] |
| - [illegible] |



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953

| NAME | ON P/R W/E | ON STRIKE PAYROLL | DATE OF APPLIC. | DATE TO WORK |
|---|---|---|---|---|
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | ✓ | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] | | ✓ | [illegible] | [illegible] |
| [illegible] |

| Acct. No. | NAME | On R/R W/O 4/10/44 | On Stone Payroll | Date of Applic. | Date to Work |
|---|---|---|---|---|---|
| 3370 | Nellie Brickell | X | ✓ | 8/14/40 | 8/29/40 |
| 3371 | Cora Coffee | X | ✓ | 9/14/40 | 9/27/40 |
| 3372 | Lillie Dunn | | ✓ | 5/14/40 | -0- |
| 3380 | Adele R. Nash | ✓ | ✓ | 4/20/40 | -0- |
| 3390 | Andre Lago | ✓ | ✓ | 4/10/40 | -0- |
| 3401 | Astrid L. Smith | ✓ | ✓ | 5/10/40 | -0- |
| 3412 | Odile Robertson | ✓ | ✓ | 10/20/40 | 00- |
| 3426 | Geneva Fontaine | X | ✓ | 4/10/40 | 4/25/40 |
| 3427 | Lillie Simpson | X | ✓ | 4/10/40 | 4/1/40 |
| 3440 | Genevieve Helm | ✓ | ✓ | 11/10/40 | -0- |
| 3448 | Wilhemina Ray | X | ✓ | 8/20/40 | -0- |
| 3452 | Mable Robinson | | ✓ | 10/10/40 | 11/10/40 |
| 3464 | George Brown | ✓ | ✓ | 8/10/40 | 8/20/40 |
| 3469 | Catherine Dell | | ✓ | 2/10/40 | -0- |
| 3476 | Amanda Bethany | ✓ | ✓ | 5/10/40 | -0- |
| 3482 | Kate Jones | | ✓ | 6/10/40 | 6/14/40 |
| 3492 | Helen Bentley | | ✓ | 8/10/40 | -0- |
| 3494 | Ethel B. Brimmer | | ✓ | 4/10/40 | 4/26/40 |
| 3495 | Shelmina A. Jones | | ✓ | 4/10/40 | 4/27/40 |
| 3502 | Dorothy Abbott | ✓ | ✓ | 3/10/40 | 3/15/40 |
| 3511 | Ruth Greenfield | ✓ | -0- | 1/10/40 | -0- |
| 3522 | Emelda Dallas | | ✓ | 8/10/40 | 8/20/40 |
| 3528 | Thelma Barnes | ✓ | ✓ | 4/10/40 | 10/10/40 |
| 3592 | Clara Mae Miller | ✓ | ✓ | 4/10/40 | 4/20/40 |
| 3600 | Elizabeth Drake | X | ✓ | 4/10/40 | 4/25/40 |
| 3702 | Ernestine Rankin | | ✓ | 1/10/40 | -0- |
| 3711 | Verise Green | X | ✓ | 6/10/40 | 6/20/40 |
| 3803 | Carol Ferguson | ✓ | ✓ | 4/10/40 | 8/29/40 |
| 3773 | Viola Brown | ✓ | ✓ | 4/10/40 | 4/20/40 |
| 3777 | Dorothy Kelley | | ✓ | 4/10/40 | 4/27/40 |
| 4002 | Eleora Arnold | ✓ | ✓ | 4/10/40 | 4/20/40 |
| 4021 | Sylvia M. Smith | X | ✓ | 4/10/40 | 4/20/40 |
| 4026 | Olivia Joshua | ✓ | ✓ | 4/10/40 | 4/20/40 |
| 4077 | Gracie Brown | X | ✓ | 4/10/40 | 4/27/40 |
| 4089 | Jessie Brown | X | ✓ | 4/10/40 | 4/27/40 |
| 4114 | Ethel Mae Austin | | ✓ | 4/10/40 | -0- |
| 4002 | E. Brown | ✓ | -0- | 4/10/40 | 4/9/56 |
| [illegible] | Valentine Talbot | ✓ | -0- | 1/10/40 | -0- |

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630

165

EXHIBIT D

MONTGOME LAW OFFICES
804-807 Na RY, BARNETT, BROWN & READ
ional Bank of Commerce Building
New Orleans 12, La.

Richard B. Montg
Walter M. Barne omery
Wood Brown
Henry J. Read
John Phelps Ham
Peter H. Beer nond
John Walker Rea
Albert Mintz , III

National Labor October 31, 1957
820 Lowich Buil elations Board
2026 St. Charles ing
New Orleans, La Avenue

*Attention:* Mr. .

Re: ox

Dear Sirs: J. H. Rutter-Rex-Mfg. Co.
15-CA-721 and 15-CA-723

Supplementing our letter of October 24, we now hand you the company's payroll as of April 17, 1954, reflecting the rate per hour and the earnings for a 2-week period. You will note that the payroll lists the operation number on the left hand side.

We are also enclosing a reference to the individual operations by number for shirts and pants.

Yours very truly,
MONTGOMERY, BARNETT, BROWN & READ

nb
Encls.

By /s/ Henry J. Read
HENRY J. READ

15th Region

Received, Nov. 1, 1957,
Office, New Orleans 13, La., NLRB.

EXHIBIT E

LAW OFFICES

MONTGOMERY, BARNETT, BROWN & READ
804-807 National Bank of Commerce Building
New Orleans 12, La.

Richard B. Montgomery
Walter M. Barnett
Wood Brown
Henry J. Read
John Phelps Hammond
Peter H. Beer
John Walker Read, III
Albert Mintz

November 7, 1957

Received, Nov. 12, 1957,
15th Regional Office, New Orleans 13, La., NLRB.

National Labor Relations Board
15th Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans, La.

Re: J. H. Rutter-Rex-Mfg. Co.
15-CA-721 and 15-CA-723

Dear Sirs:

As you know, we are handling the matter of complying with the decree of the United States Court of Appeals for the Fifth Circuit enforcing the order of the National Labor Relations Board in the subject cases. Our client has already complied with some of the provisions of the decree, and is presently engaged in bargaining with the representatives of the Amalgamated Clothing Workers of America. If any instance of a failure to fully comply

with the order is brought to your attention, we would appreciate your contacting us promptly so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree.

Yours very truly,

MONTGOMERY, BARNETT, BROWN & READ

By /s/ Henry J. Read
HENRY J. READ

nb

EXHIBIT F

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana
March 22, 1960

Telephone EXpress 2411
Night TUlane 8320

*J. H. Rutter-Rex Manufacturing Company, Inc.*

Cases Nos. 15-CA-721 and 723

Henry J. Read, Esq.
Montgomery, Barnett, Brown & Reed
804-807 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

As you may know, the above-named cases have been assigned to the undersigned for the purpose of assisting the Company in complying with the Order of the Board as enforced by the Circuit Court.

Our file indicates our last correspondence with you was in 1957, when in a September 11 letter you informed us notices were posted in the New Orleans plants of Rutter-Rex on September 10. It is presumed that notices were subsequently posted at the Franklinton plant. Will you please confirm the posting of these notices.

An effort is being made to determine the back pay, if any, due the strikers referred to by the Board in its Order. To this end we are requesting that payroll records, social security payment records, personnel records and reports necessary to analyze the amounts of back pay due and the rights of employment of strikers be made available to us for examination and copying. We currently have before us the names of some 470 individuals for whom determinations are to be made. While this appears to be a formidable undertaking, we trust that with your

cooperation it will not be too burdensome upon the Employer.

Will you please contact us at your earliest convenience in order that we may arrange a time and place for our examination.

We are, we realize, in the position of having delayed action in this matter over a period of several years. Under these circumstances, it may seem inconsistent that we now urge that prompt attention be given to the request. However, the delay to date has been in a large measure due to a shortage of personnel in this office. In order that we may bring your client into compliance with the decree of the Court as soon as possible, we ask that we hear from you within the next week. Your cooperation here will be sincerely appreciated.

Very truly yours,

/s/ John H. Immel, Jr.
JOHN H. IMMEL, JR.
Compliance Examiner

[fol. 1] BEFORE THE
NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION

Cases Nos. 15-CA-721, 15-CA-723

In the Matter of:

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

and

AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO

Hearing Room T-6039,
Federal Building (Loyola)
701 Loyola Avenue
New Orleans, Louisiana

Monday, November 13, 1962.

Pursuant to notice, the above-entitled matter came on for hearing at 10:00 o'clock, A.M.

BEFORE:

OWSLEY VOSE, Trial Examiner.

APPEARANCES:

JOHN H. HECTOR, EDWARD A. CHAMPAGNE, and LOUIS A. FUSELIER

T-6024, New Federal Building, 701 Loyola Avenue, New Orleans, Louisiana, appearing on behalf of the General Counsel.

RALPH JACKSON
1310 Oil and Gas Building, New Orleans, Louisiana, representing Amalgamated Clothing Workers of America, AFL-CIO.

HENRY J. READ and PETER H. BEER
806 National Bank of Commerce Building, New Orleans, Louisiana, representing the Respondent.

* * * *

[fol. 74] LOREN P. JONES,

a witness called by and on behalf of the General Counsel, after first being duly sworn, was examined and testified as follows:

* * * *

DIRECT EXAMINATION

Q. (By Mr. Champagne) Would you state your name for the record, please?

A. Loren P. Jones.

Q. By whom are you employed, Mr. Jones?

A. National Labor Relations Board.

[fol. 75] Q. And that address is what?

A. 6024 Federal Building, 701 Loyola Avenue.

Q. In what capacity are you employed by the Labor Board?

A. Compliance Officer.

Q. Speak up just a little bit.

A. Compliance officer.

Q. How long have you been in that job?

A. Approximately two and a half years.

Q. How long have you been with the Board?

A. About nine years.

Q. Prior to being compliance officer, what type of work did you do?

A. I was a field examiner.

Q. With the Fifteenth Region?

A. Fifteenth Region. That's this region.

Q. Prior to coming with the Board what type of work did you do? Who were you with?

A. I was with the Wage and Hour Division, U. S. Department of Labor.

Q. What type of work did this entail?

A. I was a wage and hour investigator.

Q. And this went into payroll records and such of employers and job classifications?

A. Yes, sir.

Q. Prior to that by whom were you employed?

A. R. G. LeTourneau, Incorporated.

[fol. 76] Q. What type of work did you do with them?

A. Time study engineer.

Q. Time study engineer. This time that you have been compliance officer, this two and a half years, has this been continuous?

A. Yes, sir.

Q. Would you explain your duties as a compliance officer.

A. The duties are somewhat what the title entails, but after a board order is handed down and intermediate report is handed down, after a settlement agreement has been arrived at, or after a court decree issues, it is my job to check that order or that document to determine what the respondent must do to comply with the order, and to more or less see that it is done. If it involves back pay, it is my job to compute the back pay due. If it involves the posting of notices, it is my job to see the notices are posted. That is generally what the job is. In a case such as this, if specifications are issued, it is part of my job to prepare those, too.

Q. As a field examiner, did you engage in the computation of back pay also?

A. Yes.

Q. All right, sir. Were you responsible for, or did you have any connection with the back pay specifications in this particular case?

A. Yes, it is under my direction they were prepared. [fol. 77] Q. When were you assigned this case?

A. I was assigned this case along with all other cases on compliance when I became compliance officer in mid-1960.

Q. When was that?

A. Mid-1960. I believe June, but it was mid-year anyhow.

Q. Now, were you assigned to this case by yourself?

A. Initially, yes, but some few months after I had the case there was assigned an attorney full time to help in the legal matters and investigation and preparation of the specification. In other words, we two worked together on it then for a considerable length of time. In fact, there has been an attorney assigned to it ever since that time.

Q. Since a short time after you got the case?

A. I think that was probably October or November, 1960. I might mention there has been heavens only knows how many clericals assigned to it from time to time and possibly even an occasional professional sporadically to interview someone or assist there, but it has been primarily a two-man job with clerical assistance.

Q. When you refer to the "professionals", you are referring to the field examiners and attorneys of the regional office, is that right?

A. Right. There were occasions when we would borrow one for a short time.

Q. Were you assigned any other help as far as proving [fol. 78] the computations or talking it over with anyone?

A. Yes, my own superior, who is Assistant Regional Director and regional attorney, and at times Regional Director. There have been many conferences held by the group with some of those people or some parts of those people about the methods or the law involved or various aspects of the case—most important aspects of the case, I might say.

Q. Now, was anyone else from an office other than the regional office consulted in this matter?

A. We once had a fellow down here from Washington. One fellow was here a matter of a few days to go over the anticipated method of computing the gross and then we later had another man down here for another couple of weeks to help compute some of these work sheets which you see back in the index section of the specification.

* * * *

[fol. 132] CROSS EXAMINATION

Q. (BY MR. READ) Mr. Jones, I understood you to say yesterday that this case was turned over to you sometime in Mid-June, 1960.

A. Yes, sir.

Q. I said mid-June. I meant to say mid-year. Which is correct?

A. Likely it was in June of 1960 as my recollection is.

Q. Now, did the job of compliance officer exist before you were appointed compliance officer?

A. Yes, sir.

Q. Who held the job prior to you?

A. Mr. John Immel.

Q. What was the state of Board file in the case when it was turned over to you?

A. Well, there were several statements in there from various employees of Rutter-Rex. There were, oh, I think possibly 100 to 150 forms which had been filled out by employees of Rutter-Rex. There were several sheets of payroll transcriptions, I guess would be a good word, that Mr. Immel had made from company records. There were many, many documents of correspondence between our office and employees of Rutter-Rex. There were some considerable documents that you folks had submitted, and [fol. 133] there were documents that the Union had submitted in support of the various positions. That is about my recollection of what there was in the file.

* * * *

Q. Did that file contain a copy of my letter to the Board dated November, 1957 in which I included this language—

MR. CHAMPAGNE: Mr. Examiner, we are going to object to this. I believe the purpose of Mr. Jones' testimony, and the whole purpose, is limited to the computation of the back pay and not to any delays or other reasons that might be gone into. I believe that this is what it was limited to.

TRIAL EXAMINER: I will hear Mr. Read.

MR. READ: Mr. Examiner, this witness has testified as a Board professional. He has testified as compliance officer, and he has testified at length as to what the duties of the compliance officer are. This letter that I am referring to now is referred to as a predicate for a question as to the function of a compliance officer. I am interested in developing just what his function is and whether he fulfilled it or did not fulfill it in this case.

TRIAL EXAMINER: He may answer it.

MR. READ: I think the objection was interposed before I quote to you the language which I am interested in.

Q. (BY MR. READ) The language of my letter is as [fol. 134] follows: "If any instance of a failure to fully comply with the order is brought to your attention we

would appreciate your contacting us promptly so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree."

Do you recall whether the letter containing that language was in the files when it was turned over to you?

A. I believe so. Yes, sir. The date I wouldn't know. I remember a letter of that general content.

Q. Now, does the work of a compliance officer involve efforts to work with respondent companies the details of compliance short of litigation?

A. Frequently they do.

Q. Do you know whether any effort had been made by your predecessor to work out the details of compliance with this company prior to the time that you took over the case?

A. No, I don't know of any. I don't know that there was or there wasn't in other words.

Q. Did you during the time the case has been under your jurisdiction respond in any way to that letter to which I have referred?

A. No, sir.

Q. Did you make any effort to present to the company the Board's contentions and attempt to work out with the company a solution of the problems arising therefrom?

[fol. 135] A. Well, there was a letter we sent to you in September which—

Q. Of what year?

A. Of 1961, soliciting your position. I remember that. Now, whether that is in the purview of what you are talking about I am not sure, but I do recall there was such a letter sent to you.

Q. Right. I remember the letter you refer to also.

A. It was for your position.

Q. Did we reply to that letter?

A. Yes, sir.

Q. Did we not state our position?

A. Yes, sir.

Q. And did we not conclude our letter of October 27th with this language: "the writer will be pleased to discuss these matters further with you at our mutual convenience."

Do you remember that?

A. Yes, sir.

Q. Did you make any attempt to work out the problems which the Board saw in this case before you filed the back pay specification?

A. No, sir. No. Before the filing of the specification you say?

Q. Before, that's correct.

A. No. sir, except I might say this. The timing I am [fol. 136] not sure about. I do recollect we talked one time about reinstating these 70 people. If that was before the specification—

Q. It may have been after?

A. It may have been after. I know we did after. The only question in my mind is whether we also did before.

Q. But as far as you recollect specifically you cannot refer to any specific instance in which an attempt was made to work out these problems before you filed the back pay specification?

A. No, sir.

* * * *

Q. I'm asking you whether as a compliance officer do you consider that your duties included an effort to work [fol. 137] out these matters with the Respondent before you litigated the case?

A. Oh, yes.

Q. Why didn't you do it?

A. Well, we had sent a letter asking the position on these people here. Now, that was the first time in my time as compliance officer and presumably the first time anybody was in a position to know the status of this case. Now, normally the employer at that point, we usually get some response from him at that point, to try to work these things out. This was an advice to you folks asking for a position, but at the same time setting out our position. Most certainly this September letter is—is it September, by the way?

Q. You are talking now about the statement of the employer's position in October of 1961.

A. If that is the date on it, yes.

Q. All right. Now, we will take that date.

A. Yes, sir.

Q. We will take that as a starting point. Did you make any attempt to discuss with the employer or any or his representatives the obligations which the Board saw in the decree as enforced before you filed the specification?

A. No, sir.

Q. I understood you to say that your duties as compliance officer included an effort so to do, and I now ask you why you did not do so in this case?

[fol. 138] A. I believe I went one step further, Mr. Read, and said that the employer or the Respondent normally indicates some desire of wanting some help or advice or whatever term you might like to use in this. At the time that we came to this thing in October obviously you had made a request but it was what, some four years prior. I had no indication from then on that you folks wanted to work this case out or try to comply or anything else. I had no indication one way or the other.

Q. You never asked us.

A. No, sir. Absolutely not, sir. I sent you only a letter of position.

Q. And you did know we had in the file which was turned over to you a request that the Board bring to the attention of the company any instance in which the Board considered a failure of compliance to have occurred. You knew that was in the file?

A. That's correct.

* * * *

[fol. 162] Q. Do you have a copy of your questionnaire with you?

A. I don't have it up here.

Q. Do you have the forms with you?

A. There are some around in the hearing room here I think.

Q. Could I see one please?

MR. CHAMPAGNE: Mr. Examiner, we are going to object to the production of this. This is just a worksheet sort of thing, and after all, interim earnings as such are some thing that we are conceding on behalf of the employees as to deduction of back pay. I don't think his work product is submittable.

TRIAL EXAMINER: I think for the purposes of this hearing it would be helpful for him to see a blank form and if you don't have a blank form I don't think the information on any individual is going to prejudice your case, if he sees it.

MR. FUSELIER: Let the record reflect that I am showing to Mr. Read a form entitled "Rutter-Rex Manufacturing Company," consisting of four mimeographed pages with questions and blanks and one blank page for notes and computations.

TRIAL EXAMINER: Well, that isn't the back pay form to which you were referring.

THE WITNESS: Yes, sir.

[fol. 163] TRIAL EXAMINER: That has been used around the office for years?

THE WITNESS: No. This is the one that was developed for use in the Rutter-Rex case only, as the title implies.

TRIAL EXAMINER: You didn't use any of the standard forms in the Rutter-Rex case?

THE WITNESS: Yes, we used some of those too. Certainly did. Certainly did.

Q. (BY MR. READ) I would like to see the difference between the two. Do you have any of your standard forms?

A. I presume there are some around the office. It is an obsolete form. I might mention that it has now become obsolete.

TRIAL EXAMINER: Since it was used in this case?

THE WITNESS: Yes.

TRIAL EXAMINER: I would appreciate your furnishing it.

MR. CHAMPAGNE: Would you care to see one while we are waiting?

TRIAL EXAMINER: Yes.

MR. HECTOR: May the record reflect I am handing to Mr. Read a form identified as NLRB Form 916. Incidentally, this is an obsolete form.

TRIAL EXAMINER: But it was used in connection with the back pay computation?

MR. HECTOR: Yes, sir.

TRIAL EXAMINER: Computation work in this case in part?

[fol. 164] MR. HECTOR: In part, yes, sir.

MR. CHAMPAGNE: I know you are familiar with this, but you might want to see it.

MR. READ: Mr. Hector, Mr. Fuselier, did you mark either one of those forms for identification in any way other than stating for the record you were handing them to me?

MR. FUSELIER: Not at this time.

MR. READ: I would like to mark the first form entitled Rutter-Rex Manufacturing Company, as Rutter-Rex No. 1. I would like to mark the second one Rutter-Rex Form No. 2.

(Thereupon, the documents above referred to were marked Respondent's Exhibit R-1 and R-2 for identification.)

MR. CHAMPAGNE: May I suggest he mark it R-1?

MR. READ: Yes, mark it R-1, then, because there will probably be a number of them.

* * * *

MR. READ: I offer the two documents so marked into evidence in connection with the testimony of Mr. Jones.

MR. CHAMPAGNE: I won't object to it.

TRIAL EXAMINER: Received.

(Thereupon, the documents heretofore marked R-1 [fol. 165] and R-2 for identification, were received in evidence.)

MR. READ: Might I inquire whether you have additional copies that you could make available to me, because those will be for the record.

MR. HECTOR: For the record we will make available an extra copy.

Q. (BY MR. READ) Did you devise this form which is marked R-1?

A. I believe Mr. Cohen and I together devised that form.

Q. That was in 19— what?

A. Probably the fall of 1960.

Q. The fall of 1960?

A. Yes. Maybe early 1961, but in that period.

Q. Were you given any completed forms on the old form when you took over the case?

A. There were some of those in the file.

Q. There were?

A. There were some of these in the file.

Q. Do you remember how many?

A. My recollection is that there was an excess of 100 but I don't think as many as 200. I would say someplace between 100 and 200.

Q. So you had approximately 100 of these forms, form No. 2, completed and in the file when you took over the case?

[fol. 166] A. Yes.

Q. Is that correct?

A. I would say in the neighborhood of 100 to 200, in that territory, yes. I might mention by way of explanation I don't know that all of those ended up in the specifications.

* * * *

[fol. 168] Q. (BY MR. READ) Did you tell them in any instance?

A. We may have told them. To start with, there are certain things. The first question asked might well eliminate them from the case entirely. Those people were told nothing except "So long". That's what those people were told.

Q. I'm talking about—

A. Now, the other people that you went ahead and interviewed at length, they were probably told something along these lines.

Q. Now I am not asking whether they were probably told. I am asking whether you know whether they were told the purpose of your interview with them was to determine their right to back pay in this proceedings?

A. I might have told them something to that effect, yes, sir.

[fol. 169] Q. You did tell them, did you not?

A. To help determine if they were entitled to reinstatement and/or back pay.

Q. But you don't mean to tell me you might have told them. You did tell them.

A. Some of them I did tell. I don't have any doubt.

Q. You don't have any doubt.

MR. CHAMPAGNE: Mr. Examiner, we are arguing and that has no place in this record. Now, I think Mr. Jones has the right * * *

* * * *

[fol. 220] REDIRECT EXAMINATION

Q. (By Mr. Champagne) * * *

* * * *

[fol. 227] Q. You have mentioned several times in your testimony that a calculation of this back pay involved the interviewing of 500 or 600 people; is that correct?

A. Yes, sir.

Q. And that, I understand, was finally narrowed down to 200 and—

A. Seven.

* * * *

Q. Could you give us any breakdown of the reasons for the elimination of some 200 or 300 people who, as I understand it, there are around 400 people on strike, 400 or 500; can you give us any kind of a statement of the reasons for elimination of these some two or three hundred people?

A. I can give you several of the reasons. I can't give you any idea of how many within a given reason. I know [fol. 228] I can recollect several reasons why we disqualified them, one being no application at all; in other words, no evidence they tried to go back to work.

Q. Did you endeavor to go out and look for these people who did not make any application?

A. We contacted these people, either in person, by letter or by phone. We contacted these people.

Q. And what did you do then?

A. We specifically asked about that point.

Q. About whether or not they would make an application?

A. Whether they had. Whether they had made an application. If they did not, according to this decree we

do not see that they could by any stretch of imagination be included in such a thing as this.

Q. You mean people who did not make an application for reemployment?

A. Correct, or who the union had not made application for, one of the two.

Q. Could you estimate about how many that eliminated?

A. No, I really can't.

Q. What were the other reasons for elimination?

A. There were some eliminated because the company had reinstated them within five days as required by the decree and they consequently would be entitled to nothing. Some were eliminated on that basis. I am trying to see [fol. 229] if there might be any other reasons. That is the main ones that I recall.

Q. Were there any that you know of who had made application for reemployment but who had moved away and you simply couldn't contact?

A. We may have had a few that we didn't find and didn't know what the status was. I don't recollect that there were many like that. You are talking now of people that are not in the specifications, correct?

Q. Yes.

A. There may be some in that category.

* * * *

[fol. 399] PHILIP LAMPERT,

a witness called by and on behalf of the General Counsel, being first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

Q. (By Mr. Hector) Would you please state your name and address for the record.

A. Philip Lampert, L-a-m-p-e-r-t, 333 South Ashland Boulevard, Chicago 7, Illinois.

Q. Mr. Lampert, by whom are you employed?

A. The Amalgamated Clothing Workers of America.

Q. In what capacity, sir?

A. Regional counsel.

Q. How long have you held that position?
A. 16 years.
Q. Were you regional counsel at the time of the strike in 1954-1955 at Rutter-Rex Manufacturing Company in New Orleans?
[fol. 400] A. I was.
Q. Did you have anything to do with the union's position with that strike?
A. I did.
Q. In what capacity were you connected with it?
A. I was here in an advisory capacity.
Q. Mr. Lampert, I am handing to you what has been marked for identification as General Counsel's Exhibit No. 8, a letter dated April 5, 1955, signed by you and attached return receipt. Can you identify that for me, sir?

(Thereupon, the document above referred to was marked General Counsel's Exhibit No. 8 for identification.)

A. Yes, I can. This is a letter which I wrote on April 5, 1955 and sent by registered mail to the Respondent company informing them that our organization, the Amalgamated Clothing Workers of America, had voted on March 31 to terminate a strike then current against the Respondent company, and also informed them that the employees whose names were on an attached list wished to return to work unconditionally and immediately and a request that the company inform us as to where and when those employees should return to work.
Q. And is that the return receipt, or do you have any knowledge as to whether or not that was the return receipt attached to that letter?
[fol. 401] A. Yes. I have personal knowledge that that is the return receipt.
MR. READ: May I see that.
MR. HECTOR: At this time I would offer General Counsel's Exhibit No. 8 in evidence.
MR. JACKSON: What is the number of it?
MR. HECTOR: 8.
TRIAL EXAMINER: Received.

(The document heretofore marked General Counsel's Exhibit No. 8 for identification was received in evidence.)

Q. (By Mr. Hector) Mr. Lampert, I show to you what I have marked for identification as General Counsel's Exhibit 9. It is a letter dated April 8th with your name typed on as the originator and a return receipt attached. Can you identify that for me?

(Thereupon, the document above referred to was marked General Counsel's Exhibit No. 9 for identification.)

A. This is a letter which I wrote on April 8, 1955, to the Respondent company and sent to them by registered mail, in which I informed them that this is an additional list of employees who wished to return for work, wished to return to work with the company unconditionally and immediately, and again a request that the company inform [fol. 402] us when and where the employees should return to work.

Q. And do you have any knowledge as to the return receipt attached thereto?

A. Yes, I do.

Q. It was attached to that letter at the time you sent it?

A. It was.

Q. At this time I would like—

A. It wasn't attached to the letter at the time it was sent. It was returned as a result of sending that letter and was incorporated in our files.

MR. HECTOR: At this time I would like to offer in evidence General Counsel's Exhibit 9.

TRIAL EXAMINER: Received.

(The document heretofore marked General Counsel's Exhibit No. 9 for identification was received in evidence.)

TRIAL EXAMINER: Do you have copies of those that I could just look at?

MR. HECTOR: Yes, sir.

TRIAL EXAMINER: I don't want to keep them.

Q. (By Mr. Hector) Mr. Lampert, I show you an exhibit I have marked for identification as General Counsel's Exhibit No. 10, a letter addressed to you from Mr. A. H. Dennis of the Rutter-Rex Manufacturing Company, and ask you if you can identify that further for us.

[fol. 403] A. This is a letter which I received from Mr. Dennis, who is an officer of the Respondent company, on April 11, 1955, acknowledging receipt of my letters as indicated here April 4th, but which actually carries the date of April 5, which is General Counsel's Exhibit No. 8, and the letter of April 8th, and suggested that the persons who desired to return to work file application with the Respondent's personnel office and requested that we send these applicants in groups of 20 per day.

(Thereupon, the document above referred to was marked General Counsel's Exhibit No. 10 for identification.)

MR. HECTOR: At this time I would like to offer in evidence General Counsel's Exhibit No. 10.

MR. READ: What is the date on that letter?

MR. HECTOR: April 11, 1955.

MR. READ: No objection.

TRIAL EXAMINER: Received.

(The document heretofore marked General Counsel's Exhibit No. 10 for identification was received in evidence.)

Q. (By Mr. Hector) Mr. Lampert, I show to you what I have marked for identification as General Counsel's Exhibit No. 11, a letter dated April 22, 1955, copy bearing your name as the originator, and a return receipt [fol. 404] attached. Can you identify that for me?

A. This is a letter which I sent on April 22, 1955 by registered mail to the Respondent company.

MR. READ: What date, Mr. Lampert?

MR. JACKSON: April 22.

THE WITNESS: April 22, 1955, in which I informed the company that though we were sending employees to the Respondent's personnel office at the rate of 20 per day as the company had requested, that we considered the

employees as having unconditionally applied for employ ment on the date that the company was in receipt of ou registered letters, and in addition thereto submitted a additional list of employees who wished to return to wor unconditionally and immediately.

(Thereupon, the document above referred to wa marked General Counsel's Exhibit No. 11 for identi fication.)

Q. (By Mr. Hector) Do you have any knowledg with regard to the attached return receipt?

A. Yes, I do.

Q. What knowledge do you have with regard to it?

A. That return receipt came to our office, and I per sonally put it in our files.

MR. HECTOR: I would like to offer into evidenc General Counsel's Exhibit No. 11.

TRIAL EXAMINER: Received.

[fol. 405] (The document heretofore marked Gener Counsel's Exhibit No. 11 for identification was re ceived in evidence.)

Q. (By Mr. Hector) I now show you what I hav identified as General Counsel's Exhibit No. 12, a lette dated May 13, 1955 with your name typed apparently a the originator and an attached return receipt. Can yo identify that further for us?

A. That is a letter which I sent on May 13 to the Re spondent Company which included a list of additional em ployees who were offered to return to work for the com pany unconditionally and immediately.

(Thereupon, the document above referred to wa marked General Counsel's Exhibit No. 12 for ident fication.)

Q. Do you have any knowledge as to the return receip attached thereto?

A. I do. I personally put that in our files.

MR. HECTOR: At this time I would like to offer i evidence General Counsel's Exhibit No. 12.

TRIAL EXAMINER: Received.

(The document heretofore marked General Counsel's Exhibit No. 12 for identification was received in evidence.)

• • • •

[fol. 2512] BESSIE COOPER LEE

a witness called by and on behalf of the General Counsel, being first duly sworn, was examined and testified as follows:

• • • •

CROSS-EXAMINATION

• • • •

TRIAL EXAMINER: I'm not sure you understand this whole procedure. The Labor Board discourages employers from interviewing witnesses. I am assuming that this is the company's first contact with the witness. Any application could only be produced through her.

MR. GRAHAM: No, that's my point. It is possible that the company has procured these written applications at the places where they were made?

TRIAL EXAMINER: It seems fantastic that an employer with as big a job as this employer has got would be able to comb all the possible places of employment and secure copies of applications which were filed 8 years before. I just don't understand the basis for your objection.

• • • •

[fol. 4278] J. J. HOOLEY

was called as a witness by and on behalf of Respondent, and having been duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

Q. (By Mr. Read) Would you state your name, please?

A. J. J. Hooley, H-o-o-l-e-y.

Q. What is your business, Mr. Hooley?

A. Insurance claim adjuster.

Q. What is the name of the company with which you are affiliated?

A. J. J. Hooley claims service.

Q. Is that here in New Orleans?

A. 318 Carondelet Street, room 407.

Q. Your company is in the business of conducting investigations and adjusting insurance claims?

A. That is correct. That is the business.

Q. Mr. Hooley, did you at my request contact various garment manufacturers in the city of New Orleans in an effort to determine what records these companies had at this time, indicating the names of persons who may have applied at the individual companies for employment between the years 1955 and 1961?

A. Yes, I did.

* * * *

[fol. 4281] Q. (By Mr. Read) Mr. Hooley, directing your attention to Schram Brothers, did you go to the office of Schram Brothers?

A. Yes.

Q. And did you ask them whether they kept records of [fol. 4282] the applications submitted to them by such persons as applied for employment there between the years 1955 and 1961?

A. Yes.

Q. What did they tell you?

A. Well, at that time, they were in the process of liquidating. They had a box of records which they were in the process of throwing away. I would say the box was three and a half by four feet square, and about four feet deep, and that is the box they gave me, that high, of all records all mixed up. I brought those back to my office by a dolly and had my office go through them one by one, and put them altogether because they were all mixed up.

* * * *

[fol. 4286] Q. (By Mr. Read) Now, moving on to a company by the name of B. Bennett, would you tell us whether you visited that company for the same purpose, and also tell us what information you obtained?

A. Yes, sir, I visited the Bennett company.

Q. What date did you go there?

A. I have it. I can tell you the exact date. April 18.

Q. Will you tell us what you found?

A. Well, I spoke to Mr. Dorsan who is in charge of the plant. And he does not take regular written applications. He keeps them, the names of applicants in a ledger book. It is more or less like a time book, and he only takes down those names, as I understand it, that he either employs or may employ. That is just a record for his own use. The office has nothing to do with it.

Q. Did he give you these ledger books for any period?

A Yes, he gave me three different ledger books, one covered a period of January, 1953 to 4-10-53. Then the next book was from 4-6-61 through 4-24-61 and then had some 1962 notations which you are not interested in, and the third book was from 3-14-56 to 7-21-58. I might add these were the only books that he could locate or had as far as he told me. He really only kept the current one, [fol. 4287] but he found these other 2 books.

* * * *

[fol. 4288] Q. Were you shown any other records at B. Bennets from which a determination could be made as to whether any of the names on the list that I gave you had applied for employment at that company?

[fol. 4289] A. No, sir.

Q. I turn your attention now to Famous-Sternberg, and ask you if you visited that company for the same purpose, and if so, what the result of your investigation showed?

A. Yes, sir, I did, and I ascertained that while they do take regular applications, if the applicants are not employed, the applications are destroyed withi a year period.

Q. Well, then, do I understand from that that Famous Sternberg advised you that they had no applications for the period 1955 to 1961?

A. They had none from my recollection for my perusal.

Q. Turning now to American Manufacturing Company, please tell us what your investigation revealed at that plant?

A. I determined that while they take regular applications, the said applications are destroyed in less than a year, and therefore there were no applications for me to review.

Q. Next, I direct your attention to Murphey's Wholesale Tailors, and ask you what your investigations showed at that plant?

A. They do not take or keep applications for employment.

Q. In other words, even at the time that they interview someone for employment, they don't take formal applications?

A. No, sir, he says the owner says he took scribble memorandums and threw them away when he didn't employ them immediately.

Q. All right. Next, I ask you about Foster Company. [fol. 4290] TRIAL EXAMINER: Is this the awning company?

THE WITNESS: Yes. They do take regular applications but when the parties are not immediately employed or within a reasonable or very short period, the applications are destroyed or thrown away within the year, and there were none available for my inspection.

Q. (By Mr. Read) I direct your attention to Seg-Mar, Inc. and ask what your investigation revealed at that plant?

A. The only folder of application they had were from 2-26-55 to 3-6-55, which was a response to an ad.

Q. We are not interested in that. That is earlier than the period that I am really interested in.

A. They had no other applications for my perusal, and I was advised that all other applications had since been thrown away and they do not retain for any long period.

Q. You were told that there were none for the period in which you were interested?

A. That is correct.

Q. What about Southern Tailoring Company?

A. They do not take regular applications and therefore they had none for any period.

Q. What about Comus Manufacturing Company?

A. They do not take written applications, and therefore did not have any.

Q. What about A. Solomon and Company?

[fol. 4291] A. They were in liquidation and several months before I made contact with them they had thrown

away or destroyed all of the old records including applications for employment, so they had none for my perusal.

Q. Do you know the date on which you contacted A. Solomon?

A. Yes, on April 15, sir.

Q. This year?

A. 1963.

Q. Tell me what you investigation revealed at Haspel Bros. Inc.?

A. I determined that while they take written applications, if they do not employ the parties, they destroy them in 6 months or less and they were not available for my perusal.

Q. What about Louisiana Garment Manufacturing Company?

A. They do not take written applications. I beg your pardon. They do take written application but when they do not employ the applicants they are destroyed within the year, and the only applications they had on hand at this place was for 1962.

Q. Pelican Manufacturing Company?

A. Do not take written applications at all and had none on hand.

Q. What about Southern Manhattan Company? I am sorry. I think we have covered that. I am wrong in that name. I withdraw that question. What about J. H. Bonck, Inc.?

A. I was first advised by Mr. Shaak, S-h-a-a-k, they [fol. 4292] pronounce it shark, that they did not keep applications over two months when they did not hire the parties, but just as I was leaving the personnel manager, Mrs. Gagnard, G-a-g-n-a-r-d, stated that they had some applications apparently unknown to Mr. Shaak which however, in the majority of about 50 percent thereof involved high school applicants, and so on, and also—

Q. You mean for summer work?

A. Summer work, and also she stated that what applications they did have on hand were for the year 1962, and not beyond 1961.

Q. So they would have nothing for you to examine for this period that we are interested in?

A. No, sir.

Q. Now, all of these visits to these companies were made by you in the months of April and May of 1963?

A. I could give you the exact dates.

Q. I don't want the exact dates.

A. April and May of this year. That is correct.

Q. And other than the records that you have told us about you were advised that no other records were available at the various companies?

A. That is correct, sir.

MR. READ: That is all I have. No further questions.

MR. JACKSON: No questions.

TRIAL EXAMINER: Do all parties consent to the [fol. 4293] receipt in evidence of Mr. Hooley's testimony.

* * * *

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LDA M. ANGRUM | 11-1-1927 | 435 [illegible] |

NLRB CASE NAME AND NUMBER: J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X [illegible]

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/55 TO 1/1/56

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | [illegible] | 72-0446137 | 9/55<br>12/55 | 261 00 -<br>50 20 |
| 2. | [illegible] | | 11-1702-0023 | |
| 3. | T. H. Rutter Rex Mfg. [illegible] | 72-0298450 | 12/55 | 387 67 |
| 4. | [illegible] | | 2/56 | 54 58 |
| 5. | | | 07-1117-H04 | 0001 |
| 6. | | | | |
| 7. | | | | |
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REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

T 7985

660

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Sonora Barnes Rochon | 8-21-33 | 433-42-0151 |

NLRB CASE NAME AND NUMBER

J. Rutter-Rex Mfg. Co. Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Sonora Barnes Rochon

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|---|
| 1. | Industrial Electric Co<br>3733 Conti<br>P.O. Box 700 | 147458<br>0001<br>0001 | 72-0220150 | 4/55<br>9/55 | 400.50<br>96.00 |
| 2. | New Orleans, La. | | | | |
| 3. | | | | | |
| 4. | Xavier University<br>Sisters of the Blessed Sacrament | 16-0413<br>0003 | 72-040899 | 3/56 | 150.00 |
| 5. | 7325 Palmetto St.<br>New Orleans 18, La. | | | | |
| 6. | | | | | |
| 7. | S. H. Kress Comment Co. Store<br>3000/2 Royal St. | | 72-036767 | 6/56<br>9/56 | 38.95<br>464.00 |
| 8. | New Orleans 12, La. | 20-0791<br>0003 | | 12/56 | 492.87 |
| 9. | | | | | |
| 10. | | | | | |
| 11. | Xavier University | | 72-040899 | 12/55 | 123.00 |
| 12. | | | | | |
| 13. | | | | 2005 | 3/4 |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

FPSH OAR-5120 (2-57)

TRANSCRIPT OF EARNINGS DATA

Page 2 of —

A/N 433-42-0151 Employee Name SONORA BARNES ROCHON.

| NAMES AND ADDRESSES OF EMPLOYERS | IDENTIFICATION NUMBER | PERIOD | WAGES REPORTED | COMMENTS |
|---|---|---|---|---|
| 3. J Ponis Garment Co. Inc. | 72-0367677 | 3157<br>6157<br>9157 | 485.40<br>517.95<br>4976.75 | |
| | 11 | 12157 | | |
| | 11 | 3158<br>6158<br>9158<br>12158 | 46[illegible].00<br>236.02<br>414.70<br>271.20 | 85-0074<br>0002 |
| | | 3159<br>THRU<br>6160 | NONE | |
| | | | 2005 3/24 | |
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662

FORM NLRB-4160
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| SONORA BARNES ROCHON | 8-21-33 | 433-42-0151 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Sonora Barnes Rochon

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 1-1-57 TO present

## RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | B.F. DAVIS GARMENT CO INC. 3000 ROYAL ST. NEW ORLEANS 17, LA. | 72-0367677 10-0579-0003 | 3/57 | 475.40 |
| 2. | " | " | 6/57 | 517.95 |
| 3. | " | " | 9/57 | 469.75 |
| 4. | " | " | 12/57 | 426.00 |
| 5. | " | " | 3/58 | 464.00 |
| 6. | " | " | 6/58 | 236.00 |
| 7. | " | " | 9/58 | 414.70 |
| 8. | " | " | 12/58 | 271.20 |
| 9. | | | 1959 | NONE |
| 10. | | | 6 3/60 | NONE NONE |
| 11. | | | 9/60 | NONE |
| 12. | J.H. BONCK CO. INC. 1100 S. JEFF DAVIS PKY NEW ORLEANS, LA. | 72-0371514 84-1442-0010 | 12/60 | 367.63 |
| 13. | " | " | 3/61 | 308.10 |

REGIONAL OFFICE ADDRESS:

T 1303

8347

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| | | | 6/61 | employed |
| | | | 9/61 | |
| | | | 12/61 | Supplement due yet |
| | | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY ADMIN. | | |
| 7. | | | | |
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| NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 14. | | 6/61 9/61 | employer [illegible] |
| 15. | | 12/61 | [illegible] |
| 16. | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. [illegible] | | |
| 17. J. H. Bonck Co. Inc. | 72-037 1514 | 6/61 | 456.43 |
| 18. " | " | 9/61 | 546.25 |
| 19. " | " | 12/61 | 609.88 |
| 20. " | " | 3/62 | 564.99 |
| 21. | | | |
| 22. | | 6/62 [illegible] | [illegible] |
| 23. | | | |
| 24. | | | |
| 25. | | | 11/6/62 |
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T 2901
T-5130

FORM NLRB-4160
(7-55)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LENORA DAVIS | 1 March 25, 1919 | 1439 32 6349 |

NLRB CASE NAME AND NUMBER

~~J. H. Rutter-Rex Mfg. Co. Inc.~~ 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Lenora Davis

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | S. Frank & Co. Inc. 408 Tchoupitoulas St. New Orleans, La. | 72-0188430 | 4/55<br>9/55 | 371.09<br>489.09 |
| 2. | | " | 12/55 | 536.54 |
| 3. | | " | 4/56<br>7/56 | 463.38<br>612.31 |
| 4. | | " | 7/56<br>9/56 | 420.65<br>520.26 |
| 5. | | " | 1/57<br>4/57 | 482.13<br>524.38 |
| 6. | | " | 7/57<br>9/57 | 655.02<br>649.52 |
| 7. | | " | 2/58<br>4/58 | 519.51<br>445.88 |
| 8. | | " | 7/58<br>9/58 | 613.88<br>618.45 |
| 9. | | " | 2/59<br>4/59 | 492.26<br>570.52 |
| 10. | | " | 7/59<br>9/59 | 644.41<br>583.75 |
| 11. | 37-1110-0001 | " | 2/60<br>4/60 | 469.38<br>515.63 |
| 12. | | | | |
| 13. | | | 2005 | 3/24 |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

666

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LENORA DAVIS | MARCH 25, 1919 | 439 32 6319 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-781 & 783

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Lenora Davis

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | L. FRANK & CO. INC. 408 TCHOUPITOULAS ST NEW ORLEANS, LA. | 17-0739-0001 | | |
| | | 72-0188430 | 4/60 | 515.63 |
| 2. | " | " | 9/60 | 540.89 |
| | | | 12/60 | 654.04 |
| 3. | " | " | 3/61 | 477.66 |
| | | | 6/61 | EMPLOYER REPORT NOT YET DUE |
| 4. | | | 9/61 | |
| | | | 12/61 | |
| 5. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY [illegible] | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
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REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

(T) T-73N
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879

FORM NLRB-9160
(7-59)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LENORA DAVIS | MARCH 25, 1919 | 439 32 6349 |

NLRB CASE NAME AND NUMBER

J. R. Butler-Gen Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Lenora Davis

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO [illegible]

## RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | L FRANK & CO INC 408 TCHOUPITOULAS ST NEW ORLEANS, LA | 19-0759-100 72-0188430 | 1/60 | 515.63 |
| 2. | " | " | 9/60 | 546.89 |
| 3. | " | " | 12/60 | 654.08 |
| 4. | " | " | 3/61 | 479.26 |
| 5. | | | 6/61 | EMPLOYERS |
| 6. | | | 9/61 | REPORT NOT |
| 7. | THE REQUESTED INFORMATION IS ENTERED ABOVE, SOCIAL SECURITY [illegible] | | 12/61 | YET DUE |
| 8. | | | | |
| 9. | L Frank & Co. Inc. 408 Tchoupitoulas St. New Orleans La. | 72 0188430 | 6/61 | 462.13 0464-4 0001 |
| | | | 9/61 | 510.91 |
| | | | 12/61 | 646.57 |
| 10. | | | 3/62 thru | Employers report not |
| 11. | | | 9/62 | yet due. |
| 12. | | | | 10-4-62 897 |
| 13. | | | | |

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD [illegible] T-1149 5745

[illegible] LOUISIANA

668

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION** 438-34-6812

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| GLORIA DELORES DELPIT | 11-19-30 | 438-34-6812 |

NLRB CASE NAME AND NUMBER
J. H. RUTTER-REX MFG. CO., INC. 15-CA-721 and 72

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Miss Gloria D. Delpit

**(DO NOT WRITE BELOW THIS LINE)**

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | | 4/60 Thru 3/61 | none |
| 2. | | | 4/61 Thru 7/61 | employer report not yet rec |
| 3. | | | | |
| 4. | | | | |
| 5. | | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. PER [illegible] | | |
| 6. | | | | |
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**REGIONAL OFFICE ADDRESS:** NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Loyola Building
2020 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

RG-74 8010 10-31-61

104

FORM NLRB-4180 (7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| MATHILDA DELPIT | | 433-03-7785 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the botton of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature ✓ mathilda Delpit

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | 20-0657-0026 | 72-0184780 | 4/1/55<br>9/55 | 62.00<br>148.00 |
| 2. | FINEST Foods Inc.<br>3627 Canal St.<br>New Orleans, La. | | | |
| 3. | | | | |
| 4. | 17-1455-0006<br>Est. 000! | 72-0298950 | 3/55 | 66.82 |
| 5. | J.H. Rutter-Rex MFG. Co. Inc.<br>3725 Dauphine St.<br>New Orleans, La. | | | |
| 6. | | | | |
| 7. | 04-0889-0002<br>07-0888-0002<br>~~04-0889-0002~~ | 72-0420981 | 12/54<br>1/3/55 | 207.00<br>13.33 |
| 8. | Brennan's French & Creole Rest Prs.<br>Owen E. & Owen P. Brennan<br>417 Bourbon St.<br>New Orleans, La. | | | |
| 9. | | | | |
| 10. | Laura's Fudge Shop<br>Mrs. Hettie Mae L. + John Crawford<br>235 Royal St.<br>New Orleans 16, La. | 72-0375499 | 3/56<br>12/56 | 196.80<br>91.50 |
| 11. | " | " | 4/56<br>9/56 | 182.00<br>52.50 |
| 12. | " 72-6111-9648 | " | 3/57<br>4/57 | 21.00<br>6.00 |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

| NAME AND ADDRESS OF [illegible] | [illegible] | DATE OF [illegible] | [illegible] |
|---|---|---|---|
| 12-6212-9089 | 72-0372043 | [illegible] | 70.00 |
| 303 S. Broad 1 Mrs. J. Toomast #10 Meadowbrough Gate New Orleans, La. | | | |
| | | | |
| 18-1226-0002 | 72- | [illegible] | 162.73 |
| Maud S. Brennan & Owen P. Brennan PTNRS. 0491110 Brennan's French & Creole Rest. 241 Bourbon St. New Orleans, La. | | | |
| 20-1018-0004 | 72- | 6/76 | 19.20 |
| Waterbury's Drug's Inc. 540 Canal St. New Orleans, La. | 0347130 | | |
| | | | |
| 20-1018-0002 | 72- | 4/76 | 7.43 |
| Div. of Associated Baby Sea Int. New Orleans Laundries 2801 Tulane Ave. New Orleans, La. | 0473140 | | |
| | | | |
| 17-7008-9865 | 72- | 8/76 | 20.00 |
| DR. Alfred V. Curtiss 703 Canal St. New Orleans, La. | 0366958 | | |
| | | | |
| B.F. Davis Garment Co. Inc. 3000 2 Royal St. New Orleans 12, La. | 72- | 12/76 | 365.56 |
| " | 0367677 | " | 453.53 |
| | | 4/77 | 479.87 |
| " | " | 3/77 | 239.15 |
| | | 7/77 | 474.26 |
| " | " | 2/78 | 438.69 |
| | | 5/78 | 364.85 |
| 64-0708-0001 | " | 8/78 | 306.93 |
| " | | | |
| | | 12/78 | NONE |
| | | 7/79 | |

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MAY 25 9 37 AM '81

TRANSCRIPT OF EARNINGS DATA

Page 2 of 2

433-03-7785 Employee Name Mathilda Delpit

| AND ADDRESSES OF EMPLOYERS | IDENTIFICATION NUMBER | PERIOD | WAGES REPORTED | COMMENTS |
|---|---|---|---|---|
| NNSTT Co. Inc., gazine ST Common Sts. Orleans, La. | 72-<br>012 9420 | 9/57 | 9.00 | 13-0068-0001 |
| T L. Masson + Partner House Pontchartrain Blvd. Orleans, La. | 72-<br>046 0695 | 9/57 | 65.30 | 15-0507-0001 |
| | | | | |
| | | | 2045.5 | 5/23 |
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672

FORM NLRB-4180
(7-56)

Hector

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| SHIRLEY M. EDGERSON | | 635-38-7675 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Shirley M. Edgerson

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM January 1, 1955 TO present

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Calvin D. & Seymour Schram<br>Schram Brothers Ptrs<br>427 Camp St.<br>New Orleans, La. | 72<br>0392506 | 3-55<br>6-55 | 218.64<br>149.76 |
| 2. | " | " | 9-55<br>12-55 | 190.20<br>384.37 |
| 3. | J. H. Banck Co. Inc.<br>1150 S. Jeff Davis Pkwy | 72<br>0371514 | 6-55 | 24.00 |
| 4. | New Orleans, La.<br>" | " | 9-55 | 12.00 |
| 5. | | | 9-56<br>6-56 | NONE |
| 6. | B. Bennett Company Inc<br>magazine at Common Sts.<br>New Orleans, La | 72<br>0129420 | 9-56 | 28.75 |
| 7. | | | | |
| 8. | Calvin D. & Seymour Schram Ptrs | 72<br>0392506 | 12-56 | 446.38 |
| 9. | " | " | 3-57<br>6-57 | 422.39<br>68.97 |
| 10. | | | | |
| 11. | Benjamin F. Brown<br>1706 Joseph St.<br>New Orleans, La | 72<br>0428767 | 9-57<br>12-57 | NONE<br>210.00 |
| 12. | " | " | 3-58<br>6-58 | 390.00<br>390.00 |
| 13. | " | " | 9-58<br>12-58 | 390.00<br>390.00 |

REGIONAL OFFICE ADDRESS:

820 Lowerie Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

| NAME AND ADDRESS OF EMPLOYER | S.S. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| Benjamin J Brown | 72 0428767 | 3-59 | 390.00 |
| | | 6-59 | 390.00 |
| | " | 9-59 | 390.00 |
| | | 12-59 | 420.00 |
| | " | 3-60 | 360.00 |
| | | 6-60 | 390.00 |
| | " | 9-60 | 390.00 |
| | | 12-60 | 210.00 |
| J H Bonck Co. Inc | 72 0371514 | 12-60 | 35.20 84-1419 0011 |
| | | | |
| Thos D + Seymour Schram Atts | 72 0392506 | 12-60 | 85.30 80-1638 0005 |
| | | | |
| H Kutter Rex Mfg. Co Inc 3725 Dauphine St New Orleans, La. (Louisiana) | 72 0298950 | 3-61 | 151.44 84-0563 0003 |
| | | 6-61 | NONE |
| | | 9-61 | Employer Reported |
| | | 12-61 | Not yet due |
| THE REQUESTED INFORMATION IS ENTERED ABOVE, SOCIAL SECURITY ADMIN. PER 12-12-9145 | | | |

RECEIVED
NLRB - TH REG.
NEW ORLEANS, LA.
DEC 14 3 38 PM '61

674

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Pearl Ferguson | 6/21/27 | 437-38-0136 |

NLRB CASE NAME AND NUMBER

J. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Pearl Ferguson

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | J H Rutter Rex Mfg Co Inc 3725 Dauphine St. New Orleans, La. | 72-0298950 | 3/55<br>1/55 | 218.39<br>316.66 |
| 2. | | " | 9/54<br>3/54 | 175.68<br>128.48 |
| 3. | | " | 1/54<br>9/53 | 213.74<br>NONE |
| 4. | New Orleans 17-0080-0012 Foundries Inc 2801 | 72-0272756 | 4/55 | 65.74 |
| 5. | Tulane Avenue New Orleans, La. | | | |
| 6. | | | | |
| 7. | Fill Woods 27-0298-8023 ext. 1086 wools Co. | 12-14933340 | 4/55 | 14.00 |
| 8. | (Dry Corp) 233 Broadway. | | | |
| 9. | New York, NY (Louisiana) | | | |
| 10. | Frank J. Delerna owner De-lerna Restau - 18-1434-0001 | 72-0167660 | 4/55<br>3/55 | 110.00<br>20.00 |
| 11. | rant 619 Pine St Metazie La. | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

5336

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

| | NAME AND ADDRESS OF EMPLOYER | S.S. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 14. | J.H. Rutter Rex Mfg Co. Inc. 3725 Dauphine St. New Orleans, La | 72-029890 | 3/57<br>4/57 | 343.89<br>411.31 |
| 15. | | " | 11/57<br>12/57 | 368.00<br>407.05 |
| 16. | | " | 3/58<br>4/58 | 459.22<br>428.13 |
| 17. | | " | 9/58<br>12/58 | 461.19<br>423.68 |
| 18. | | " | 3/59<br>4/59 | 528.67<br>385.12 |
| 19. | 51-0332-0011 est. 0001 | " | 9/59 | 499.82 |
| 20. | Jr Keenan Department Corp 1205 St. Charles Ave. New Orleans, La | 72-049316 | 12/59 | 95.00 |
| 21. | 37-H00-0002 | " | 3/60<br>4/60 | 308.00<br>32.00 |
| 22. | | | | |
| 23. | | | | |
| 24. | 34-1332-0002 Seg Mar. Inc. 614 Magazine St. New Orleans, La. | 72-c377957 | 4/60 | 111.25 |
| 25. | | | | |
| 26. | IF ADDITIONAL INFORMATION IS ENTERED ABOVE, [illegible] | | | |
| 27. | | | | |
| 28. | | | | |
| 29. | | | | |
| 30. | | | | |
| 31. | | | | |
| 32. | | | | |
| 33. | | | | |
| 34. | | | | |

RECEIVED
NEW ORLEANS, LA.
MAY 27 8 50 AM '61

OMB 071-R00

676

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Minnie Mae Fernandez | 6 March 1924 | 4.10 39 [illegible] 53 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Minnie Mae Fernandez

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM April 1, 1955 TO Present

**RECORD OF EMPLOYMENT AND EARNINGS**

| NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 1. | none | 6/55 | |
| 2. E. H. Blum | 72-0133960 | 9/55<br>12/55 | 15.00<br>219.32 |
| 3. 1521 Canal St. New Orleans La. | | 3/56<br>6/56 | 360.01<br>473.70 |
| 4. | | 9/56 | 257.30 |
| 5. | | 12/56 | 343.60 |
| 6. | | 3/57 | 365.50 |
| 7. | MB. 38-1164 #.0002 | 6/57 | 498.85 |
| 8. | none | 9/57 | |
| 9. | none | 12/57 | |
| 10. Price Candy Co. | 44-0396776 MB. 02-0454 #g 1225 MC 8015 | 9/55 | 26.70 |
| 11. 2 W. 39th St. Kansas City Mo. (Fo.) | | | |
| 12. | REQUESTED INFORMATION IS ENTERED ABOVE. | | |
| 13. | SOCIAL SECURITY ADMIN. PER [illegible] | | |

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lo[illegible]les Ave.
NEW ORLEANS 12, LOUISIANA

FORM NLRB-4160 (7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Minnie Mae Fernandez | 3/29/21 | 410-32-3093 |

NLRB CASE NAME AND NUMBER
J. Rutter-Rex Mfg. Co. Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Minnie Mae Fernandez

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | | 6/55 | None |
| 2. | | | | |
| 3. | Price Candy Co 2 West 34th Street Kansas City, Mo. | 44 0396776 | 9/55 | 26.70 |
| 4. | | 42-0454 0085 Est 0013 | | |
| 5. | E H Blum 1521 Canal Street New Orleans, La. | 72 0133960 | 12/55 | 219 32 |
| 6. | " | " | 9/55 | 15.00 |
| 7. | " | " | 3/56<br>6/56 | 360.01<br>473.70 |
| 8. | " | " | 9/56 | 257.30 |
| 9. | " | " | 12/56 | 343.60 |
| 10. | " | " | 3/57 | 365.50 |
| 11. | " | " | 6/57 | 498.85 |
| 12. | " | " | 9/57 | 438.25 |
| 13. | " | | | |

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION

REGIONAL OFFICE ADDRESS:
820 Lavaca Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

4578
R-1533

| | NAME AND ADDRESS OF EMPLOYER | S.S. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 14. | E. H. Blum | 72 0139960 | 12/57 | 135.60 |
| 15. | " | 4 | 3/58 | 108.40 |
| 16. | | 13-0007 0002 | | |
| 17. | Shreveport Garment MFGRS. % Goldman Rayford & Morris P.O. Box 4446 925 Jefferson Street Shreveport, La. | 72 6455151 | 3/58 | 209.10 |
| 18. | " | 4 | 6/58 | 396.50 |
| 19. | " | 4 | 9/58 | 498.20 |
| 20. | " | 4 | 12/58 | 270.30 |
| 21. | | 92-0643 0926 0004 | | |
| 22. | B.P. Davis Garment Co. Inc, 3000-2 Royal ST New Orleans, La. | 72 0367677 | 6/59 | 262.58 |
| 23. | | 37-1153 0004 | 3/59 | None |
| 24. | La. Garment MFF Co Inc. 2001 ST. Bernard Ave. New Orleans, La. | 72 0245285 | 9/59 | 262.25 |
| 25. | " | 4 | 12/59 | 409.98 |
| 26. | " | 4 | 3/60 | 449.00 |
| 27. | " | 4 | 6/60 | 304.30 |
| 28. | | 35-1715 0012 | | |
| 29. | | | 9/60 | Reemployed |
| 30. | | | 12/60 | Report Not |
| 31. | | | 3/61 | yet due. |
| 32. | | | | |
| 33. | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY BOARD, BUREAU OF OLD-AGE AND SURVIVORS INSURANCE | | | |
| 34. | | | | |

RECEIVED
MAR 21 PM 12:51
SOCIAL SECURITY BOARD
BUREAU OF OLD-AGE AND SURVIVORS INSURANCE

FORM NLRB-4180
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Minnie Mae Fernandez | 3/29/21 | 410-32-3093 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Minnie Mae Fernandez

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Louisiana Garment Mfg. Co. Inc. P.O. Box 13116 New Orleans, La. | 72-0245295 66-1715-0012 | 6/60 | 304.30 |
| 2. | " " | " " | 9/60 | 42.10 |
| 3. | | | 12/60 | NONE |
| 4. | | | 3/61 | NONE |
| 5. | | | C 12/61 | employer report not due yet |
| 6. | | | | |
| 7. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY ADMIN. BY | | | 4/3/61 |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lewis Building
2025 So. Claiborne Avenue
NEW ORLEANS 15, LOUISIANA

1133 8397

680

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| MINNIE MAE FERNANDEZ | 3/29/21 | 410-32-3093 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 & 783

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Minnie Mae Fernandez

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | S.S. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | LOUISIANA GARMENT MFG. CO INC. P O BOX 13116 NEW ORLEANS, LA | 72-245285 65-1715-0012 | 6/60 | 304.30 |
| 2. | " | " | 7/60 | 42.10 |
| 3. | | | 12/60 | NONE |
| 4. | | | 3/61 | NONE |
| 5. | | | 6/8/61 | employer reports not due yet |
| 6. | | | | |
| 7. | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. By | | Date 7/19/61 | |
| 8. | Louisiana Garment Mfg. Co. Inc. Box 13116 New Orleans LA | 72-0245285 (65-0335-0010) | 9-61 | 211.00 |
| 9. | | | | |
| 10. | | | 12 60 | None |
| 11. | | | 3-61<br>6-61<br>12-61 | None<br>None<br>None |
| 12. | | | 3-62<br>6-62<br>9-62 | Employer reports not yet due |
| 13. | | | | |

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD

10-462

87

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Octavia Haynes | 9-8-26 | 434-46-6549 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Octavia Haynes

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM April 1, 1955 TO Present

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | None | 6/55 | |
| 2. | Ella J Mervin Joseph ptrs Chicago 24 st Wholes 715 Polydras St. New Orleans La. | 72 0439208 | 9/55 | 120.00 |
| 3. | | MD20-7216 M9178 | | |
| 4. | Calvin D.T. Seymour Schram ptrs Schram Bros. | 72 0342506 | 12/55 | 166.00 |
| 5. | 727 Conga St New Orleans La | | 3/56<br>6/56 | 403.83<br>136.86 |
| 6. | | | 9/56<br>12/56 | 470.19<br>430.43 |
| 7. | | MD04-0384 M0005 | 3/57 | 405.75 |
| 8. | | None | 6/57 | |
| 9. | | None | 9/57<br>12/57 | |
| 10. | REQUESTED INFORMATION IS ENTERED ABOVE | | | |
| 11. | SOCIAL SECURITY ADMIN. PER | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
[illegible] Building
NEW ORLEANS 13, LOUISIANA

682

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Gustavia Haynes Gale | 9-8-26 | 434-46-6599 |

NLRB CASE NAME AND NUMBER
J. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature: Gustavia Haynes Gale

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM ~~1/1/56~~ 7/1/57 TO PRESENT

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | 69-1780 Calvin D & Seymour Ichram 0003- Ichram Brothers Ptrs. 427 Conway St. New Orleans, La. | 72-0342506 | 9/57 | 436.58 |
| 2. | | " | 12/57 | 444.21 |
| 3. | | " | 3/58 | 303.77 |
| 4. | | " | 9/58 | 335.67 |
| 5. | | " | 6/58 | none |
| 6. | | " | 12/58 | 277.26 |
| 7. | | " | 3/59 | 587.18 |
| 8. | | " | 6/59 | 333.96 |
| 9. | | " | 9/59 | 642.24 |
| 10. | | " | 12/59 | 543.08 |
| 11. | | " | 3/60 | 335.80 |
| 12. | | " | 6/60 | 404.40 |
| 13. | | " | | |

THIS INFORMATION IS ENTERED ABOVE

REGIONAL OFFICE ADDRESS:
T 3277
R 0707

NATIONAL LABOR RELATIONS BOARD
SOCIAL SECURITY ADMIN. FER
FIFTEENTH REGION (10)
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

FORM NLRB-4180 (7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| GUSTAVIA HAYNE GALE | 9-8-26 | 434-46-6599 |

NLRB CASE NAME AND NUMBER

J. R. Dutton-Box Mfg. Co., Inc. 15-CA-772 & 773

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature _____

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | CALVIN D & SEYMOUR SCHRAM PTRS SCHRAM BROS. | 727039206 | 6/60 | 404.40 |
| | | | 9/60 | 470.21 |
| 2. | 427 CAMP ST. NEW ORLEANS, LA. | 727095771 | 12/60 | 230.77 |
| | | | 3/61 | 267.64 |
| 3. | | | | |
| 4. | | | 6/61 | E.R. report not yet due |
| 5. | | | 9/61 | " |
| | | | 12/61 | " |
| 6. | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. PER [illegible] | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

684

FORM NLRB-4180
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| GUSTAVIA HAYNE GALE | 9-8-26 | 434-46-6599 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co. Inc 15-CA-[illegible] & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature _____

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

## RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | CALVIN D & SEYMOUR SCHRAM PTRS SCHRAM BROS 427 CAMP ST. NEW ORLEANS, LA. | 72 0392506 | 6/60 | 404.40 |
| 2. | | | 9/60 | 478.21 |
| 3. | | | 12/5/60 | 220.77 |
| 4. | | | 3/61 | 207.04 |
| 5. | | | 6/61 | filing made 9 yet due |
| 6. | | | 9/61 | " |
| 7. | | | 12/61 | " |
| 8. | Calvin & Seymour Schram Ptrs. | 72 0392506 | 6/61 | 300.19 |
| 9. | " | " | 9/61 | 393.46 |
| 10. | " | " | 12/61 | 553.39 |
| 11. | | 10-N-62 DM | 3/62 thru 9/62 not yet | Employers due |
| 12. | | | | |
| 13. | | | | |

THE REQUESTED INFORMATION IS ENTERED ABOVE
SOCIAL SECURITY ADMIN. PER [illegible]

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
8th Floor Plaza Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

FORM NLRB-4180 (7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| VICTORIA HENDERSON | 1/18/15 | 435-38-3976 |

NLRB CASE NAME AND NUMBER: J. H. Rutter-Rex Mfg. Co.,Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earning.

Signature Victoria Henderson

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYR | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | SEG-MAR INC. 614 MAGAZINE ST. ~~NEW ORLEANS~~ - LA. | 72 03 779 57 | 6-55<br>9-55 | 130.51<br>405.44 |
| 2. | " | " | 12-57 | 403.55 |
| 3. | " | " | 3-56<br>6-56 | 443.02<br>462.25 |
| 4. | " | " | 9-56<br>12-56 | 384.50<br>490.63 |
| 5. | " | " | 3-57<br>6-57 | 415.25<br>396.50 |
| 6. | E. H. BLUM 68-0091 1521 CANAL ST. ~~NEW ORLEANS~~ - LA. 7-CD83 | 72 01 339 00 | 9-57<br>12-57 | 109.25<br>412.00 |
| 7. | | | | |
| 8. | | | | |
| 9. | SEG-MAR INC | 72 03 779 57 | 3-58<br>6-58 | 422.00<br>463.25 |
| 10. | " | " | 9-58<br>12-58 | 173.00<br>116.00 |
| 11. | " | " | 3-59<br>6-59 | 425.00<br>104.75 |
| 12. | " | " | 9-59<br>12-59 | none<br>none |
| 13. | " | " | 3-60<br>6-60 | 383.70<br>209.75 |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

5084

| | NAME AND ADDRESS OF EMPLOYER | S.S. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 14. | SEG MAR INC. 67-0894 | 92 0377957 | 9-60 | 384.25 |
| 15. | | | | |
| 16. | THE REQUIRED ... IS ENTERED ABOVE | | | |
| 17. | | | | |
| 18. | | | | |
| 19. | | | | |
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RECEIVED
NLRB REGIONAL OFFICE
APR 7 1961

W NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| VICTORIA HENDERSON | 1/18/15 | 435-38-3976 |

NLRB CASE NAME AND NUMBER

J. E. Rotter-Rex Mfg. Co., Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Victoria Henderson

**(DO NOT WRITE BELOW THIS LINE)**

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO DATE

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | SEG MAR INC. 614 MAGAZINE ST. NEW ORLEANS, LA | 72-0377957 | 6/60 | 209.25 |
| 2. | | 1322-34.0002 | 9/60 | 384 X 5 |
| 3. | | " | 12/60 | 434 78 |
| 4. | | | 3/61 | 307 72 |
| 5. | | | 6/61 thru 12/61 | Employers report not yet due |
| 6. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY REPRESENTATIVE 9292 11/29/61 | | | |
| 7. | | | | |
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NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

REGIONAL OFFICE ADDRESS:

8397.

A 7272
9792

688

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| VICTORIA HENDERSON | 7/18/15 | 435-38-36[illegible] |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature /X/ Victoria Hend[illegible]

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO DATE

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | SEG MAR INC<br>614 MAGAZINE ST.<br>NEW ORLEANS, LA | 72-03-77957<br>[illegible] | 6/60<br>4/60 | 209.72<br>384 [illegible] |
| 2. | | | [illegible]/60<br>3/6[illegible] | 434.[illegible]<br>367.72 |
| 3. | | | 6/6[illegible]<br>-[illegible]<br>12/61 | Employer reports not yet |
| 4. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY [illegible] PER 425-[illegible]/61 | | | |
| 5. | | | | |
| 6. | | | 6/61 thru<br>3/62 | NONE |
| 7. | | | | |
| 8. | | | 6/62 [illegible]<br>12/62 | employer [illegible]<br>not yet [illegible] |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | [illegible] - 7/[illegible] |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Bldg.
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

75160

8771.

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Mrs. Rose Marie Hicks | 3/31/29 | 435-34-2465 |

NLRB CASE NAME AND NUMBER
J. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Mrs. Rose Marie Hicks

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/57 TO PRESENT

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Calvin D + Seymour Ichram Ptrs 427 Camp St. New Orleans, La. | 68-0091 0003 72 03396O ~~8342506~~ | 9-57 | 445.65 ~~231.82~~ |
| 2. | " | " | 12-57 | 97.60 |
| 3. | " | " | 3-58 | 110.00 |
| 4. | A. H. Feldman + C.S. Morris Ptrs. P.O. Box 1646 Shreveport, La. | 02-6541 0025-0004 72 0455151 | 3-58 | 227.50 |
| 5. | " | " | 6-58 | 348.30 |
| 6. | " | " | 9-58 | 505.70 |
| 7. | " | " | 12-58 | 284.85 |
| 8. | | | 3-59 | None |
| 9. | | | 6-59 | None |
| 10. | Calvin D + Seymour Ichram Ptrs. Ichram Brothers 427 Camp St. New Orleans, La. | 67-0808 0007 72 0392506 | 9-59 | 473.80 |
| 11. | " | " | 12-59 | 461.90 |
| 12. | | " | 3-60 | 472.53 |
| 13. | | | | |

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION

REGIONAL OFFICE ADDRESS:
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

T 3777 #777
R 9707

| SECTION "A" NAME AND ADDRESS OF EMPLOYER | [illegible] SOCIAL SECURITY NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 14. Calvin D. & Suzanne Kleaver Pda | 0372606 | 6-60 | 490.63 |
| 15. | | | |
| 16. | | | |
| 17. | | | |
| 18. THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY ADMIN. PGH | | | 3/23 |
| 19. | | | |
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RECEIVED
MAR 13TH REC.
NEW ORLEANS, LA.
MAR 27 8:29 AM '81

FORM NLRB-4180
(7-59)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| MRS. ROSE MARIE HICKS | 3-31-29 | 435-34-2465 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Mrs. Rose Marie Hicks

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO DATE

## RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | CALVIN D & SEYMOUR SCHRAM SCHRAM BROTHERS | [illegible] | 4/60 3/61 | $4,480.63 $4,320.29 |
| 2. | 427 CAMP ST. NEW ORLEANS, LA. | [illegible] | 12/60 3/61 | $4,423.00 $411.36 |
| 3. | | | | |
| 4. | | | 8/61 9/61 | E.P. not hired Not Hired |
| 5. | | | 12/31/61 | " |
| 6. | | | | |
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REGIONAL OFFICE ADDRESS:

8397

NEW [illegible] LOUISIANA

F 7911

3-9-62

692

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Mrs. Rose Marie Hicks | 3-31-29 | 435-34-2465 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Mrs. Rose Marie Hicks

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO DATE

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | CALVIN D & SEYMOUR SCHRAM<br>SCHRAM PAINTERS | | [illegible] | [illegible] |
| 2. | 437 CAMP ST<br>NEW ORLEANS, LA | [illegible] | [illegible] | [illegible] |
| 3. | | | | |
| 4. | | | [illegible] | [illegible] |
| 5. | | | [illegible] | " |
| 6. | | | [illegible] | [illegible] |
| 7. | Calvin D + Seymour Schram | 72<br>0392506 | 6/61<br>9/61 | 245.26<br>363.94 |
| 8. | " | " | 12/61 | 363.16 |
| 9. | | | 3/62 thru<br>4/62 | Employment not yet due |
| 10. | | | | |
| 11. | | | | D-1-62 SM |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

8397

NLRB [illegible], Louisiana

FORM NLRB-4180
(7-54)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LOUISE JACKSON | 8/20/17 | 439-30-0119 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Louise Jackson

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/57 TO PRESENT

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | John Dart<br>3207 Coliseum St | 72-<br>C414946 | 9/57<br>12/57 | 325.00<br>338.00 |
| 2. | New Orleans 15, La. | " | 3/58<br>6/58 | 338.00<br>338.00 |
| 3. | " | " | 9/58<br>12/58 | 338.00<br>338.00 |
| 4. | La Societe D'ex Dames<br>Hospitalieres St.<br>822 Barracks St. | 72-<br>042-3647 | 3/57<br>12/57 | 348.18<br>345.00 |
| 5. | New Orleans 16, La. | 19-0004-0002<br>" | 3/58 | 153.20 |
| 6. | | | | |
| 7. | St Annas Asylum<br>1823 Pretania St | 72-<br>C408969 | 3/58<br>5/58 | 110.64<br>71.12 |
| 8. | New Orleans 13, La. | " | 3/60<br>6/60 | 22.02<br>169.44 |
| 9. | LA-1491-0002 | " | 3/60 | 155.34 |
| 10. | John Dart | 72-<br>C414946 | 3/59<br>6/59 | 338.00<br>338.00 |
| 11. | " | " | 9/59<br>12/59 | 176.00<br>338.00 |
| 12. | " | " | 3/60<br>6/60 | 338.00<br>~~344.84~~ 338.00 |
| 13. | " | " | 9/60<br>12/60 | 338.00<br>338.00 |

97-6007-0488

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

4755

R-4483

694

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Louise Jackson | 8/20/17 | 439-30-0119 |

NLRB CASE NAME AND NUMBER

J. R. Buttig-Ben Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Louise Jackson

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 10-1-60 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | JOHN DART<br>3307 COLISEUM ST.<br>NEW ORLEANS 15, LA. | 06-6052-070<br>72-0414946 | 12/60 | 338.00 |
| 2. | " | " | 3/61 | 338.00 |
| 3. | | | 4/61<br>9/61<br>12/61 | Employed<br>Report not<br>YET Due |
| 4. | ST ANNAS ASYLUM<br>1823 PRYTANIA ST | 13-0383-002<br>72-0408969 | 12/60 | 141.21 |
| 5. | NEW ORLEANS 13, LA. | | 3/61 | 130.02 |
| 6. | THE REQUESTED INFORMATION IS ENTERED ABOVE.<br>SOCIAL SECURITY ADMIN. PER [illegible] 11/29/61 | | | |
| 7. | | | | |
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REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lafayette Building
2020 St. Charles Avenue
NEW ORLEANS 12, LOUISIANA

T-733
9103
837

FORM NLRB-4180
(7-58)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LOUISE JACKSON | 8/20/17 | 439-30-0119 |

NLRB CASE NAME AND NUMBER

J. P. Stevens & Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the cover of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Louise Jackson

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 10-1-60 TO PRESENT

## RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I.C. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | JOHN CADY 3107 CLEVELAND ST NEW ORLEANS, LA | 06-6052-0700 72-0414946 | 12/60 | 338.00 |
| 2. | " | " | 3/61 | 356.00 |
| | | | 6/61 | Employees Report not YET Due |
| 3. | | | 9/61 | |
| | | | 12/61 | |
| 4. | ST PAUL'S ACADEMY 1823 PRYTANIA ST NEW ORLEANS, LA | 13-0355-0002 72-0408969 | 12/60 | 141.21 |
| 5. | | | 3/61 | 130.02 |
| 6. | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. PER [illegible] | | | |
| 7. | [illegible] | 72-0414946-14 | 6/61 | 326.00 |
| | | | 9/61 | 351.00 |
| | | | 12/61 | 351.00 |
| 8. | [illegible] | 13-6042-0135 | 3/62 | 351.00 |
| 9. | [illegible] | 72-0408969 | 6/61 | 5.68 |
| | [illegible] | 41-0839-0002 | | |
| 10. | [illegible] | | | |
| 11. | | | | 10-11-62 837 |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

4332 837 9103

FORM NLRB-4180
(7-58)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LELA MAE LANDRY | 8/21/31 | 437-44-4835 |

NLRB CASE NAME AND NUMBER
**J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723**

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Lela Mae Landry

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/57 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | B. F. Diamond Const. Co. 3000½ Royal St. New Orleans 12, La. | 72-0367677 | 7/57<br>9/57 | 426.75<br>434.18 |
| 2. | " | " | 7/58<br>7/58 | 467.65<br>300.18 |
| 3. | " | " | 7/58<br>17/58 | 293.50<br>485.29. |
| 4. | " | " | 3/59<br>4/59 | 416.07<br>209.94 |
| 5. | " | " | 17/59<br>4/59 | 395.85.<br>NONE |
| 6. | " | " | 3/60<br>4/60 | 400.37<br>514.71 |
| 7. | " 60-1540-0002 | " | 3/60 | 463.97 |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
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[illegible] IS ENTITLED [illegible] 9/16
[illegible] SOCIAL SECURITY ADMIN. FEB [illegible]

REGIONAL OFFICE ADDRESS:
NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

FOR: NLRB-4180
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LELA MAE LANDRY | 8/21/1931 | 432-44-4835 |

NLRB CASE NAME AND NUMBER: J. E. Baker-Sun Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Lela Mae Landry

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7-1-60 TO present

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | 1540-60 0002 | 72 | 9/60 | 463.97 |
| 2. | B F DAVIS GARMENT CO INC 3000 S ROYAL ST NEW ORLEANS 17, LA. | 0967677 | 12/60 | 403.91 |
| | | " | 3/61 | 468.86 |
| 3. | | | 6/61 thru 9/61 | Employer Agent not yet Heard |
| 4. | | | | |
| 5. | | | | |
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THE REQUESTED INFORMATION IS ENTERED ABOVE.
SOCIAL SECURITY ADMIN. PER

REGIONAL OFFICE ADDRESS:
NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
[illegible] Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

8397.

80.0 10-30-61

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LEONARD L. LEWIS JR. | 2/3/25 | 436 28 4933 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Leonard L. Lewis Jr.

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | 17-1431-0004 Hagel Bros. Inc. St Bernard Ave. near Broad St. Mail P.O. Box 1600 New Orleans, La. | 72-0207480 | 6/55 | 529.01 |
| 2. | " | | 9/55 | 611.42 |
| | | | 12/55 | 652.78 |
| 3. | " | | 3/56 | 816.53 |
| | | | 6/56 | 553.43 |
| 4. | " | | 9/56 | 737.79 |
| | | | 12/56 | 654.58 |
| 5. | " | | 3/57 | 675.75 |
| | | | 6/57 | 726.44 |
| 6. | " | | 9/57 | 612.00 |
| | | | 12/57 | 648.98 |
| 7. | " | | 3/58 | 878.05 |
| | | | 6/58 | 535.35 |
| 8. | " | | 9/58 | 601.80 |
| | | | 12/58 | 621.88 |
| 9. | " | | 3/59 | 954.98 |
| | | | 6/59 | 795.21 |
| 10. | " | | 9/59 | 716.45 |
| | | | 12/59 | 807.98 |
| 11. | " | | 3/60 | 821.30 |
| | | | 6/60 | 923.31 |
| 12. | [illegible] | [illegible] | 9/60 | 498.36 |
| | | | 12/60 | NONE |
| 13. | " | | 3/61 | employer report not yet due |
| | | | 6/61 | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

FORM NLRB-4180
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| LEONARD LEWIS, JR | 2/3/25 | 436 28 4933 |

NLRB CASE NAME AND NUMBER: J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Leonard Lewis, Jr.

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 10-1-60 TO present

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | HASPEL BRO. INC. P.O. Box 1606 NEW ORLEANS, LA. | 72-0207480 12-45-41-0009 | 12/60 3/61 | 767.04 1038.20 |
| 2. | | | 6/61 thru 12/61 | Employer report not yet due |
| 3. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY Admin. For 4292 11-29-61 | | | |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTH REGION
[illegible] BUILDING
[illegible] STREET
NEW ORLEANS 12, LOUISIANA 877

R-2092
L-41

700

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Kathleen Lodge | Nov. 26, 1931 | 433-42-7846 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Kathleen Lodge

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM April 1, 1955 TO Present

### RECORD OF EMPLOYMENT AND EARNINGS

| NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 1. | | 1/55 | None |
| 2. | | 9/55 | None |
| 3. Baumer Foods Inc. 4300 Tulane Ave. New Orleans 19 La | 72-0368408 | 12/55 | 01-0840-0510 30.19 |
| 4. | | | |
| 5. Westminster Corporation 919 Gravier St New Orleans La. | 72-0147232 | 3/56 | 18-1202-0842 232 87 |
| 6. | | 6/56 | None |
| 7. | | 9/56 | None |
| 8. | | 12/56 | None |
| 9. | ~~58-0473420~~ | 9/57 | 65-0772-0642 985.59 |
| 10. | | 3/57 6/57 | 720.00 None |
| 11. | | 12/57 3/58 | None |
| 12. | | 6/58 | |
| 13. | | | |

REGIONAL OFFICE ADDRESS:

RECEIVED MAR 20 1958 NLRB New Orleans La. La.

None

7863

| BIOW CLAIM NO. | NAME AND ADDRESS OF EMPLOYER | E.T. WAGES | PERIOD OF EMPLOYMENT | AMOUNTS OF AWARD |
|---|---|---|---|---|
| 9. | Natal Enforcement Dept. Mail 416 Lull Bl. - attn Mr Harold - Procurer New Orleans 12 La. | 78-[illegible]-2[illegible] | 9/57 | 68-[illegible] 2[illegible] |
| 16. | | | | |
| 17. | THE ALLOTTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. PER | | | MP 4/17/58 |
| 18. | | | | |
| 19. | | | | |
| 20. | | | | |
| 21. | | | | |
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RECEIVED

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FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

I U

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| KATHLEEN LODGE | 3/21/21 | 433-42-7841 |

NLRB CASE NAME AND NUMBER
**J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 and 723**

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature _____

**(DO NOT WRITE BELOW THIS LINE)**

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/57 TO PRESENT TO Kathleen Lodge

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Capital Improvement Corp. 415 Shell St. | 72-048279 | 9/57 | 204.00 |
| 2. | Attn Mr. Harold Brewer New Orleans 12, La. | " | 12/57 | 451.51 |
| 3. | | | | |
| 4. | | | | |
| 5. | 69-1933 0078 Dane Cotton Mills Co | 72-023S170 | 9/57 | 13 1/2 |
| 6. | 434 Cadiz St. New Orleans, La. | | | |
| 7. | | | | |
| 8. | Capital Improvement Corp. | 72-048279 | 3/58<br>6/58 | 429.00<br>429.00 |
| 9. | | " | 9/58<br>12/58 | ~~455.40~~<br>530.80 |
| 10. | | " | 3/59<br>6/59 | 416.00<br>316.80 |
| 11. | 41-1220 0002 | " | 6/60 | 22.40 |
| 12. | | | 9/59 THRU 3/60 | NONE |
| 13. | | | | 2400 3/24 |

**REGIONAL OFFICE ADDRESS:** NATIONAL LABOR RELATIONS BOARD
~~FIFTEENTH REGION~~
~~820 Lowich Building~~
~~2026 St. Charles Avenue~~
NEW ORLEANS 13, LOUISIANA

FORM NLRB-4180 (7-59)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| KATHLEEN LODGE | 5/26/31 | 433-43-7846 |

NLRB CASE NAME AND NUMBER
**J. Ritter-Rex Mfg. Co. Inc. 15-CA-721 & 783**

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature _____

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7-1-59 to present TO Kathleen Lodge

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | | 9/59 | NONE |
| 2. | | | 12/59 | NONE |
| 3. | | | 3/60 | NONE |
| 4. | RETAIL IMPROVEMENT HAROLD BREWER 1440 OIL & GAS BDG NEW ORLEANS 12, LA | 72-6482719 41-1220-6002 | 6/60 | 22.40 |
| 5. | | | 9/60 | NONE |
| 6. | | | 9/60 | NONE |
| 7. | | | 12/60 | NINE |
| 8. | WESTMINSTER CORP 1440 OIL & GAS BLDG. NEW ORLEANS, LA. | 72-0447232 04-0189-0002 | 3/61 | 13.60 |
| 9. | | | 9/61 | employer refused to give |
| 10. | | | 12/61 | blue yet |
| 11. | | | THIS REQUESTED INFORMATION IS ENTERED ABOVE. | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

1362 [illegible] 8307

NEW ORLEANS, LOUISIANA

FORM OAR 5129 (2-57)

TRANSCRIPT OF EARNINGS DATA

Page 2 of 2

A/N 433-42-7846 Employee Name Kathleen Bodey

| NAMES AND ADDRESSES OF EMPLOYERS | IDENTIFICATION NUMBER | PERIOD | WAGES REPORTED | COMMENTS |
|---|---|---|---|---|
| Westminster Corp. | 72-0447232 | 10/61 | 486.20 | |
| " | " | 9/61 | 323.00 | |
| | | | | |
| | | 2-/61 thru 3/62 | None | |
| | | | | |
| | State Social Security Benefits 7/62 - 11/24/62 | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Noel Martin | 12-26-35 | 434-48-8660 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co. Inc. 15-RC-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Noel Martin

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/54 TO PRESENT

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | C7. 7080 4028 | 72237221 ~~6248450~~ | 4/54 | 141.01 |
| 2. | Celine J. Delacroix Jr 4523 Annette St | " | 12/54 | 427.30 |
| 3. | New Orleans, La. | " | 3/55 | 246.48 |
| 4. | | " | 6/55 | 522.03 |
| 5. | | " | 9/55 | 773.52 |
| 6. | | " | 12/55 ~~3/56~~ | 567.23 ~~240.23~~ |
| 7. | | " | 3/56 | 240 23 |
| 8. | | " | 6/56 | 520.71 |
| 9. | | " | 9/56 | 422 39 |
| 10. | | " | 12/56 | 842.10 |
| 11. | | " | 3/57 | 246.15 |
| 12. | | " | 6/57 | 727.10 |
| 13. | | | | |

NATIONAL LABOR RELATIONS BOARD

REGIONAL OFFICE ADDRESS:
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

| | NAME AND ADDRESS OF DECEASED | S.S. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 14. | Oliver J. Delacroix Jr. | [illegible] 0884221 | 9/57 | 640.15 |
| 15. | | " | 12/57 | 859.10 |
| 16. | | " | 3/58 | 541.70 |
| 17. | | " | 6/58 | 1014.97 |
| 18. | | " | 9/58 | 944.79 |
| 19. | | " | 12/58 | 486.86 |
| 20. | | " | 3/59 | 787.26 |
| 21. | | " | 6/59 | 467.00 |
| 22. | | " | 9/59 | 1097.50 |
| 23. | | " | 12/59 | 1033.61 |
| 24. | | " | 3/60 | 511.00 |
| 25. | | " | 6/60 | 1190.37 |
| 26. | | | | |
| 27. | | | | |
| 28. | THE REQUESTED INFORMATION APPEARS IN CASE FILE ABOVE SOCIAL SECURITY ADMIN. PB 3/10/65 2/23 | | | |
| 29. | | | | |
| 30. | | | | |
| 31. | | | | |
| 32. | | | | |
| 33. | | | | |

RECEIVED
NLRB 15TH REG.
NEW ORLEANS, LA.
MAR 27 8 20 AM '81

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Noel Martin | 12-26-35 | 434-48-8660 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:
Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Noel Martin

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO Present

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | CLIVER J. DELACROIX JR 4513 ANNETTE ST. NEW ORLEANS, LA. | illegible | illegible | illegible |
| 2. | illegible | illegible | illegible | illegible |
| 3. | | | | |
| 4. | | | illegible | illegible |
| 5. | | | illegible | illegible |
| 6. | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. BR. | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:
NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lovich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

R 774
2-4-61

708

FORM SSSB-0130
(7-59)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Noel Martin | 12-26-35 | 434-41-8660 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sir:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Noel Martin

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | OLIVER J. DELACROIX JR. 4523 ANNETTE ST. NEW ORLEANS, LA. | 72 0384221 | 6/61 | 1140.37 |
| 2. | | | 9/61 | 1164.20 |
| 3. | | 15-6546 0104 | 12/60 | 195.00 |
| 4. | | | 3/61 | 96.00 |
| 5. | | | | |
| 6. | | | 6/61 | E.C. report not yet due |
| 7. | | | 9/61 | " |
| 8. | | | 12/61 | " |
| 9. | | THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY ADMIN. PER [illegible] | | |
| 10. | Oliver J Delacroix Jr | 72 0384221 | 6/61 | 960.00 |
| 11. | " | " | 12/61 | 830.54 |
| 12. | Fluid Simonson Inc, 4120 Conquitaylas St. New Orleans 15, La | 72 0457465 | 3/61 | 387.40 |
| 13. | | 038318-0002 | | |
| 14. | | | 9/61 | none |
| 15. | 10-1-62 [illegible] | | | |
| 16. | | | 3rd qtr 9/62 | Employer report not yet due |
| 17. | | | | |

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
GENERAL OFFICE ADDRESS: 820 Lovelab Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

843 859

PDF [illegible] 8180
17-58

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (PRINT) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Gloria Mathews | Feb. 27, 1933 | 434-46-8010 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721, 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
1602A Federal Building - 701 Loyola Avenue
NEW ORLEANS 12, LOUISIANA

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature: Gloria Mathews

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB. PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM January 1, 1955 TO January 1, 1962

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | SOC. SEC. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Vaupel Bros. Inc. 617 5123d New Orleans 50. La | 72 0207480 | 3/55<br>6/55 | 364.96<br>283.47 |
| 2. | | 2750-07014 | 9/55 | 33.90 |
| 3. | J. H. Rutter-Rex Manufacturing Co. Inc. 3925 Gayoso St. New Orleans La (Louisiana) | 72 02 99950 | 9/55<br>12/55 | 323.07<br>415.30 |
| 4. | | 1455-Month 65 0001 | 3/56<br>6/56 | 502.84<br>325.34 |
| 5. | | " | 9/56<br>12/56 | 156.30<br>324.41 |
| 6. | | " | 3/57<br>6/57 | 481.94<br>464.68 |
| 7. | | " | 9/57<br>12/57 | 414.94<br>382.74 |
| 8. | | " | 3/58<br>6/58 | 85.15<br>299.28 |
| 9. | | " | 9/58<br>12/58 | 451.41<br>455.59 |
| 10. | | " | 3/59<br>6/59 | 506.94<br>429.69 |
| 11. | | " | 9/59<br>12/59 | 586.26<br>402.91 |
| 12. | | " | 3/60<br>6/60 | 589.80<br>499.28 |
| 13. | | " | 9/60<br>12/60 | 450.05<br>488.56 |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
1602A Federal Building - 701 Loyola Avenue
NEW ORLEANS 12, LOUISIANA

T851L

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Deorderia Ocampo | May 25, 1911 | 437-46-3058 |

NLRB CASE NAME AND NUMBER

J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Deorderia Ocampo

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM ~~1/1/54~~ 4/1/54 TO PRESENT

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Stevens Board Paper Co. Inc. 13 to So. Peters St. New Or | 72-0378288 | 1/55<br>1/55 | 113.81<br>405.46 |
| 2. | Orleans 13, La | " | 7/52<br>7/52 | 289.31<br>419.10 |
| 3. | | " | 4/52<br>1/56 | 499.50<br>528.60 |
| 4. | | ~~72-0381966~~ | ~~4/55~~ | ~~48.00~~ |
| 5. | Stevens Board Paper Co. Inc. | 72-0378288 | 3/57<br>4/57 | 445.00<br>496.00 |
| 6. | Peach Candy Corp 827 Carondelet St. New Orleans La | 72-1447-0002<br>0381966 | 4/55<br>7/55 | 48.00<br>129.01 |
| 7. | | | | |
| 8. | | | | |
| 9. | Stevens Board Paper Co. Inc | 72-0378288 | 1/57<br>3/57 | 514.23<br>495.25 |
| 10. | | " | 4/58<br>7/58 | 573.87<br>345.86 |
| 11. | | " | 3/58<br>1/59 | 599.57<br>693.90 |
| 12. | | " | 7/59<br>9/59 | 637.00<br>678.06 |
| 13. | | " | 8/59<br>9/59 | 621.51<br>567.04 |

NATIONAL LABOR RELATIONS BOARD
REGIONAL OFFICE FOURTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

336

| | NAME AND ADDRESS OF EMPLOYER | I.D. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 14. | Stevens Bond Paper Co. Inc. 42-0574-0002 | 72- 0378288 | 7/30 | 485.02 445.37 |
| 15. | | | | |
| 16. | | | | |
| 17. | | | | |
| 18. | American Mfg Corp 19-0676-0013 | 72- 0117970 | 6/30 | 60.00 |
| 19. | Inc. 105 2 Bonaparte | | | |
| 20. | St. New Orleans, La. | | | |
| 21. | HH Rutler Roof Mfg Co. Inc. 04-0850-0011 | 72- 0298450 | 6/30 | 67.92 |
| 22. | 3725 Dauphine St. New | | | |
| 23. | Orleans, La. | | | |
| 24. | Bonnie Frances Fongisek 09-2434-0002 | 72- 645 1371 | 7/30 | 42.00 |
| 25. | Company Inc 2105 Gentilly | | | |
| 26. | Blvd New Orleans | | | |
| 27. | Calvin D. Seigmann Schram 20-0338-0003 | 72- 0342506 | 7/30 | 102.64 |
| 28. | Otis Schram Brothers 607 Camp St. New Orleans, La. 06-2781-0004 | " | 7/15 | 51.15 |
| 29. | | | | |
| 30. | | 4747 | 3.23.61 | 8.27 |
| 31. | | | | |
| 32. | | | | |
| 33. | | | | |
| 34. | | | | |

RECEIVED
AUG 8 1961
INTERNAL REVENUE SERVICE
NEW ORLEANS, LA.

FORM NLRB-4180
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Procter, Mildred | Nov. 25, 1914 | 435-14-3615 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 and 723
New Orleans, Louisiana

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Mildred Procter

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM January 1, 1955 TO December 31, 1956

## RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Textile Co. Inc. 716 Notre Dame St New Orleans La. | 72-0381651 | 3-55<br>6-55 | 85.08<br>none |
| 2. | | " | 9-55<br>12-55 | 290.29<br>101.91 |
| 3. | | | | 1038-03-0022 |
| 4. | Eclair Key Co. 155 E 44th St New York N.Y. | 13-0567400 | 3-56 | 262.95 |
| 5. | | | | 1612-02-0047 est. 0008 |
| 6. | | | | |
| 7. | N.O. Window Cleaners Inc. 3000 S Broad St New Orleans 17 La | 72-0367677 | 12-56 | 182.35 |
| 8. | | | | 0791-36-0013 |
| 9. | | | | |
| 10. | J. H. Rutter Rex Mfg Co. Inc. 3725 Dauphine St New Orleans La. | 72-0298950 | 6-56<br>9-56 | 419.46<br>188.88 |
| 11. | | | | 0430-13-0015 est. 000) |
| 12. | | | | |
| 13. | | | | |

THE REQUESTED INFORMATION IS ENTERED ABOVE.
SOCIAL SECURITY ADMIN. PER 470 2-28-61

REGIONAL OFFICE ADDRESS:
NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Bldg., 2026 St. Charles Ave.
NEW ORLEANS 13, LOUISIANA

6644 [illegible] 5377

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Wilhelmina Ray | 10-8-1930 | 433-42-1128 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature (Miss) Wilhelmina Ray

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM April 1, 1955 TO Present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | None | 1/55 | |
| 2. | Anthony V. Spizale owns A & L. Cleaners & Dyers | 720417065 | 9/55 | 162.00 |
| 3. | 4242 Piety St. New Orleans La. | MB I-1434 Pg 0001 | | |
| 4. | Dna. Harris & Friedrichs 532 Maison Blanche Bldg New Orleans La. | 720206640 | 9/55<br>12/55 | 148.00<br>390.00 |
| 5. | | | 3/56<br>6/56 | 390.00<br>390.00 |
| 6. | | | 9/56<br>12/56 | 390.00<br>410.00 |
| 7. | | MOCS 0091 Pg 0001 | 3/57<br>9/57 | 416.00<br>416.00 |
| 8. | | None | 6/57<br>12/57 | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REQUESTED INFORMATION IS ENTERED ABOVE
SOCIAL SECURITY ADMIN. PER J. F. 2/1/58

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowe[illegible] Carondelet Ave.
NEW ORLEANS, LOUISIANA

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Wilhelmina Ray | 10-8-30 | 433-42-1128 |

NLRB CASE NAME AND NUMBER

Rutter-Rex Mfg. Co. Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Wilhelmina Ray

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/57 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | ~~59-043047~~ | ~~4157~~ | ~~407.46~~ |
| 2. | Ira Harris & Friedrichs<br>832 Maison Blanche Bldg. | 72-020640 | ~~4157~~<br>9157 | ~~416.00~~<br>416.00 |
| 3. | New Orleans, La. | " | 12157 | 416.00 |
| 4. | | " | 3158<br>6158 | 416.00<br>416.00 |
| 5. | | " | 9158<br>12158 | 416.00<br>416.00 |
| 6. | | " | 3159<br>6159 | 416.00<br>401.00 |
| 7. | 59-0087<br>0001 | " | 9159 | 96.00 |
| 8. | Hospital Service Assn. of Louisiana, Inc.<br>Baronne at Perdido | 72-020748 | 9159<br>12159 | 71.50<br>517.88 |
| 9. | Mail P O Box 1400<br>New Orleans, La. | 09-0650<br>0007 | 3160 | 66.75 |
| 10. | | | | |
| 11. | Fundamental Life Insurance Co. | 371344<br>0002 | 72-0535247<br>3160 | 100.00 |
| 12. | 2475 Canal St.<br>New Orleans 19, La. | | | |
| 13. | | | | |

THE REQUESTED INFORMATION IS ENTERED ABOVE.
SOCIAL SECURITY ADMINISTRATION

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
830 Lovich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| WILHEMINA RAY | 10-8-30 | 433-42-1128 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Wilhelmina Ray

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | FUNDAMENTAL LIFE INSURANCE Co. 2475 CANAL ST. NEW ORLEANS 19, LA | 72-0535297 34-1344-0002 | 6/60 | 100.00 |
| 2. | " " | " " | 9/60 | 25.00 |
| 3. | | | 12/60 | NONE |
| 4. | | | 3/61 | NONE |
| 5. | | | 6/9/61 | employer's report not received yet |
| 6. | | | 12/61 | |
| 7. | THE REQUESTED INFORMATION IS ENTERED HERE SOCIAL SECURITY FORMS [illegible] 1/22/62 | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION

REGIONAL OFFICE ADDRESS: 820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

T 143 837 2345

716

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| WILHEMINA RAY | 10-8-30 | 433-42-1128 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Wilhemina Ray

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4-1-60 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | FUNDAMENTAL LIFE INSURANCE Co 2475 CANAL ST NEW ORLEANS 19, LA | 72-0535297 34-1344-0002 | 6/60 | 100.00 |
| 2. | " | " | 9/60 | 25.00 |
| 3. | | | 12/60 | NONE |
| 4. | | | 3/61 | NONE |
| 5. | | | 6/9/61 | employe |
| 6. | | | 12/61 | Reports Emp |
| 7. | THE REQUESTED INFORMATION IS ENTERED [illegible] SOCIAL SECURITY ADMINISTRATION [illegible] | | | |
| 8. | | | | |
| 9. | | | 6/9/61 thru 3/62 | None |
| 10. | | | | |
| 11. | | | | 764-1[illegible] |
| 12. | | | | |
| 13. | NATIONAL LABOR RELATIONS BOARD FIFTEENTH REGION | | | |

REGIONAL OFFICE ADDRESS: 820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

T 1823

T 2908

@ 711

FORM NLRB-4180
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Dorothy B. Rubit | 11/24/25 | 438-34-4449 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Dorothy B. Rubit

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM April 1, 1955 TO Present

## RECORD OF EMPLOYMENT AND EARNINGS

| NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 1. No wages from 4/55 thru 6/56 and 12/56 to present. | | | |
| 2. J H Rutter Rex Mfg Co Inc. | 720242950 [illegible] | 7/56 | 26.56 |
| 3. 3735 Baronne St New Orleans La. | | | |
| 4. | [illegible] INFORMATION IS ENTERED [illegible] SOCIAL SECURITY ADMIN. PER CF 2/15/58 | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
| 11. | | | |
| 12. | | | |
| 13. | | | |

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lo[illegible] [illegible] Charles Ave.
[illegible] NEW O[illegible] [illegible] LOUISIANA

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| DOROTHY B. RUBIT | 11/24/25 | 438 34 4449 |

NLRB CASE NAME AND NUMBER

**J. H. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723**

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Dorothy B. Rubit

**(DO NOT WRITE BELOW THIS LINE)**

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7/1/57 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | | 4/57 | NONE |
| 2. | Leg Mar Inc<br>614 Magazine St | 72-<br>0377957 | 1/7/57 | 420.50 |
| 3. | New Orleans, La | | | |
| 4. | | | | |
| 5. | Leg Mar Inc | 72-<br>0377957 | 1/1/58<br>3/31/58 | 128.50<br>312.25 |
| 6. | 80-1134-0003<br>" | " | 12/31/57<br>4/58 | 8.00<br>NONE |
| 7. | | | | |
| 8. | | | 1/1/59<br>4/1/59 | NONE |
| 9. | Julian D & Seymour Schram<br>Schram Bros 91-1088-0002 dba | 72-<br>0392506 | 1/1/59<br>12/31/59 | 466.20<br>40.00 |
| 10. | 427 Camp St<br>New Orleans, La | | 1/1/60<br>THRU 3/31/60 | NONE |
| 11. | | | | |
| 12. | | | 4/20/60 | 28.00 |
| 13. | NATIONAL LABOR RELATIONS BOARD<br>FIFTEENTH REGION | | | |

REGIONAL OFFICE ADDRESS: 820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

FORM NLRB-4180
(1-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| DOROTHY B. RUBIT | 11/24/25 | 438 34 4449 |

NLRB CASE NAME AND NUMBER
J. R. Rutter-Rex Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Dorothy B. Rubit

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD .

FROM 1-1-60 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | | 3/60 Term 3/61 | none |
| 2. | | | 6/61 Term 12/61 | Employer Report not yet Due |
| 3. | THE REQUESTED INFORMATION IS FURNISHED ABOVE. SOCIAL SECURITY ADMINISTRATION [illegible] | | | |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

[illegible] Room 8010 10-30-61 3

720

Form NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| DOROTHY B. RUBIT | 11/24/25 | 438 34 4449 |

NLRB CASE NAME AND NUMBER

J. R. Brasher-Sun Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Dorothy B Rubit

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 1-1-60 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | | | 3/60 Term 3/61 | none |
| 2. | | | 6/61 Term 10/61 | Employer Report Not yet due |
| 3. | THE BOARD IS UNABLE TO SUPPLY THE REQUESTED SOCIAL SECURITY INFORMATION ABOVE. | | | |
| | Flint Goodridge Hosp of Dillard University 2425 Louisiana Ave New Orleans 15, La | 2 044 7220 | 6/61 | 309.34 |
| 6. | 11 | 11 | 9/61 | 595.00 |
| | 11 | 11 | 14/61 | 87.50 |
| 7. | | | 3/62 6/62 | Employer report Not yet due |
| 8. | | | 9/62 | |
| 9. | | | | |
| 10. | | | | 10-11-62 BM |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

Form 8010 10-30-61 3 (6)

FORM NLRB-4180
(7-56)

# AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Dorothy Rubit | 8-27-19[illegible] | 433-46-1076 |

NLRB CASE NAME AND NUMBER
J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature: Dorothy Rubit

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 1/1/54 TO 1/1/56

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | J. H. Rutter - Rex Mfg. Co Inc. 3725 Dauphine St New Orleans, La. (Louisiana) | 72-0298950 | 1/54 4/54 | 435.66 67.63 |
| 2. | " | " | 7/55 12/55 | 360.61 210.56 |
| 3. | " 13-0430-0011 est. 0001 | " | 3/56 | 493.79 |
| 4. | | | 1/54 THRU 4/55 | NONE |
| 5. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY ADMIN. [illegible] 4-26-61 | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | |
| 13. | | | | |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

4,355
R-6483

FORM NLRB-4180
(7-56)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| ROSALIE THORNTON | 3/29/29 | 435 34 2272 |

NLRB CASE NAME AND NUMBER
J.H. RUTTER-REX MFG Co. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Rosalie Thornton

**(DO NOT WRITE BELOW THIS LINE)**

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | SOC. SEC. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Standard Thermometer Co. Main Warping Mill | 72 VR682.50 | 6/55 | 362.48 ~~362.98~~ 19.10 650. |
| 2. | [illegible] | " | 9/55 | 189.77 |
| 3. | | " | 12/55 | 532.56 |
| 4. | | " | 3/56 | 360.27 |
| 5. | | " | 6/56 | 327.13 |
| 6. | | " | 9/56 | 217.50 |
| 7. | | " | 12/56 | 562.52 |
| 8. | | " | 3/57 | 365.50 |
| 9. | | " | 6/57 | 420.76 |
| 10. | | " | 9/57 | 157.52 |
| 11. | | " | 12/57 | 452.13 |
| 12. | | | | |
| 13. | | | | |

**REGIONAL OFFICE ADDRESS:**

NATIONAL LABOR RELATIONS BOARD
~~FIFTEENTH REGION~~
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA 5160-10-4 R-8110

| NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 14. Herman Brassy Strongwire Corner Memphis Industrial Textile | 72 0268250 | 3/58 | 266.50 |
| 15. " " " " | " | 6/58 | 88.00 |
| 16. | | 9/58 | None |
| 17. Herman Strongwire Corner | " | 12/58 | 82.87 |
| 18. Herman Brassy Strongwire Corner | " | 3/59 | 16.75 |
| 19. | | | |
| 20. Herman Brassy Strongwire Trade Haze. Mill Point | 72 0462185 | 3/59 | 4900. 14-1042 2002 |
| 21. " " " " | " | 6/59 | 164.25 |
| 22. Herman Brassy Strongwire Trade Haze | | 9/59 | None |
| 23. " " | " | 12/59 | 456.36 |
| 24. " " | " | 3/60 | 225.37 |
| 25. " " | " | 6/60 | 359.74 |
| 26. " " | " | 9/60 | 118.25 |
| 27. | " | 12/60 | 64.00 |
| 28. " " | | | |
| 29. " " | " | 3/61 | 174.62 |
| 30. | | 6/61 then 9/61 | employer report not yet due |
| 31. | THE REQUESTED INFORMATION IS FURNISHED UNDER SOCIAL SECURITY ADMIN. REG. 4.33.3 | | |
| 32. | | | |
| 33. | | | |
| 34. | | | |

RECEIVED
NLRB 14TH REG.
ST. LOUIS, MO.
63 MAR 31

FORM NLRB-4180
(7-58)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| HATTIE WALKER | 3/23/09 | 435-40-7249 |

NLRB CASE NAME AND NUMBER

**J. R. Butler-Rex Mfg. Co., Inc. 15-CA-721 and 723**

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Hattie Walker

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Haspel Bros Inc<br>St Bernard Ave near Broad<br>Mail P.O. Box 1600 | 72-<br>020780 | 4/55<br>6/55 | 272.17.<br>344.42. |
| 2. | New Orleans, La.<br>" | " | 9/55 | 321.56 |
| 3. | " | " | 3/56<br>4/56 | 435.16.<br>464.85. |
| 4. | " | " | 1/56<br>3/56 | 552.49.<br>496.71 |
| 5. | " | " | 3/57<br>4/57 | 512.31.<br>603.43. |
| 6. | 65-1305-0025<br>" | " | 8/57 | 337.10. |
| 7. | 11-0451-0009<br>Kolb Restaurant Inc | 72-<br>046376 | 7/55<br>6/58 | 109.97<br>NONE |
| 8. | 125 St Charles St.<br>New Orleans, La. | | | |
| 9. | | | | |
| 10. | Louisiana Garment Mfg Co Inc<br>P.O. Box 13116 | 72-<br>024585 | 7/58<br>7/58 | 45.50<br>285.70 |
| 11. | New Orleans, La.<br>" | " | 7/59<br>8/59 | 375.85<br>419.99 |
| 12. | 65-1453-0011<br>" | " | 7/59<br>12/59 | 362.50<br>NONE |
| 13. | | | | |

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION

REGIONAL OFFICE ADDRESS:
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

4755

R-6483

| NAME AND ADDRESS OF EMPLOYER | [illegible] NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 14. Wilbur J. Frank Jr. [illegible] Dr. ET AL 99-0079-0015 | 72- [illegible] | 1/7 1/7 | 174.73 162.03 |
| 15. Keane Red Stick Linen Supply Tidy Diaper Service | | | |
| 16. 1867 Convention St Baton Rouge 8, La. | | | |
| 17. Orleans Parish School Board Chief Accountant | 69- 072-0014 | 7/10 7/10 | 106.12 +97.00 |
| 18. 4300 Hiawatha Street New Orleans 22, La | 59-6029-0036 " | 7/10 | 130.00 |
| 19. | | | |
| 20. THE REQUESTED INFORMATION IS ENTERED ABOVE SOCIAL SECURITY [illegible] FEE 7-28-71 | | | |
| 21. | | | |
| 22. | | | |
| 23. | | | |
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RECEIVED
MAY 4 8 9 AM '71
NLRB 15TH REG
NEW ORLEANS, LA.

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| HATTIE WALKER | 3-23-29 | 435-40-7249 |

NLRB CASE NAME AND NUMBER

J. R. Butler-Sun Mfg. Co., Inc. 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X Hattie Walker

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7-1-60 TO present

RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | ORLEANS PARISH SCHOOL BOARD CHIEF ACCOUNTANT 4300 HIAWATHA ST NEW ORLEANS 22, LA. | 69-0720074 5029-57-0036 | 9/60 12/60 | 130.00 224.80 |
| 2. | | | 3/61 | none |
| 3. | | | 6/61 Quarter 12/61 | Employer's report not yet due |
| 4. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY ADMIN. PER 9242 11/29/61 | | | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
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| 13. | | | | |

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lavaca Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

7172

FORM NLRB-4180
(7-58)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| HATTIE WALKER | 3-23-29 | 435-40-7249 |

NLRB CASE NAME AND NUMBER

~~J. R. Ewing Oil Co., Inc.~~ 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature X [illegible]

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 7-1-60 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | ORLEANS PARISH SCHOOL BOARD CHIEF ACCOUNTANT 4300 HIAWATHA ST NEW ORLEANS 22, LA | 64-0720074 | 9/60 | 130.00 |
| | | 5029-34-0036 | 12/60 | 224.80 |
| 2. | | | 3/61 | none |
| 3. | | | 6/61 thru 12/61 | Employers report not yet due |
| 4. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY ADMIN. BY [illegible] | | 3/61 thru 6/61 | none |
| 5. | | 94 | | |
| | 6197-72 0662 | 1124553 | 9/61 | 57.00 |
| 6. Pearl C. Bowman Bowman Nursing Home 1820 Haight St San Francisco 17, Cal. | | " | 3/62 | 689.20 |
| 7. | | " | 6/62 | 760.92 |
| 8. | " | " | 12/61 | 512.16 |
| 9. | | | 9/61 thru 12/62 | employers report not yet due |
| 10. | | | | |
| 11. | | | | |
| 12. | | | | 111 - 11/2/62 |
| 13. | | | | |

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

T5160 1 4 839 7072 9498

FORM NLRB-4180
(7-55)

**AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION**

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Alma Wallace | 8/16/1914 | 435-16-0684 |

NLRB CASE NAME AND NUMBER

J. R. Butler-Lee Mfg. Co. Inc. 15-CA-721 & 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Alma Wallace

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 10-1-57 TO present

**RECORD OF EMPLOYMENT AND EARNINGS**

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | ERWIN J. FAUST<br>GODCHAUX BAR<br>828 CANAL St | 720-0504-3226 | 12/57 | 133.48 |
| 2. | NEW ORLEANS, LA. | 16-2127<br>6199 | | |
| 3. | LEON GODCHAUX CLOTHING<br>CO LTD<br>826 CANAL St. | 720-0185-426 | 12/57 | 190.01 |
| 4. | NEW ORLEANS, LA. | 72-0698<br>0031 | | |
| 5. | PELICAN TOMATO CO INC<br>PLACE 31-33 FRENCH MARKET | 720-0179-31-7 | 3/59 | 199.51 |
| 6. | NEW ORLEANS, LA. | 16-6727<br>0349 | 6/59 | 3.16 |
| 7. | | | | |
| 8. | SES MAR INC<br>614 MAGAZINE St. | 72-0377787 | 6/59 | 273.00 |
| 9. | NEW ORLEANS, LA. | " | 12/59<br>9/59 | 296.50<br>[illegible] |
| 10. | | " | 3/60<br>6/60 | 509.30<br>[illegible] |
| 11. | | " | 9/60<br>12/60 | 190.31<br>[illegible] |
| 12. | | 16-0[illegible]<br>0064 | 3/61 | 317.11 |
| 13. | | | | |

NATIONAL LABOR RELATIONS BOARD

REGIONAL OFFICE ADDRESS:

FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

837

F-7911

| | NAME AND ADDRESS OF EMPLOYER | E-1 NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 14. | | | 3/60 | none |
| | | | 6/60 | " |
| | | | 9/60 | " |
| 15. | | | none | " |
| 16. | | | | |
| 17. | | 1 | 6/61 | f.c. negligible |
| | | | 9/61 | yet due |
| 18. | | | 12/61 | " |
| 19. | | | | |
| 20. | THE REQUESTED INFORMATION IS ENTERED ABOVE. SOCIAL SECURITY ADMIN. PER [illegible] 11/26/61 | | | |
| 21. | | | | |
| 22. | | | | |
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RECEIVED
NOV 15 1961
INTERNAL REVENUE
NEWARK, N.J.
DEC 1 1961 PM

FORM NLRB-4180
(7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Alma Wallace | AUG 16, 1914 | 435-16-0681 |

NLRB CASE NAME AND NUMBER

~~J. H. Rutter-Rex Mfg. Co., Inc., 15-CA-731 & 733~~

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Alma Wallace

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM 4/1/55 TO PRESENT

### RECORD OF EMPLOYMENT AND EARNINGS

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 1. | Mercy Hospital Roman Catholic Sisters of Mercy, 301 N. Jefferson Davis Hwy New Orleans, La. | 72-0408965 | 1/1/55 | 304.09 |
| | | | 4/55 | 293.86 |
| 2. | | " | 7/55 | 307.50 |
| 3. | | " | 7/55 | 317.50 |
| | | 1573-17 0051 | 9/55 | 261.59 |
| 4. | Leon Hodenfield Clothing Co. Ltd. 316 Carondelet St. New Orleans, La. | 72-0193420 | 1/1/56 | 75.32 |
| | | | 7/56 | NONE |
| 5. | | " | 1/1/57 | 236.65 |
| | | | 7/1/57 | 261.65 |
| 6. | | 1638-94 | 4/57 | 259.98 |
| | | " 0031 | 7/57 | 180.00 |
| 7. | 222 Tire Inc. 1616 Magazine St. New Orleans, La. | 72-0377457 | 7/57 | 44.50 |
| 8. | | 0582-18 0052 | | |
| 9. | | | | |
| 10. | Irwin J. Hurst Owner Hodenfield Ladies Wear 322 Carondelet St., New Orleans, La. | 72-0504326 | 10/57 | 123.48 |
| 11. | | 9387-86 0199 | | |
| 12. | | | | |
| 13. | | | 7/58 THRU 12/58 | NONE |

REGIONAL OFFICE ADDRESS:

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

T 52 V

| | NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|---|
| 12. | Policeny Donuts Co, Inc. 3133 Florida Mandeville, La. | 72-<br>048 9317 | 7/59<br>4/59 | 199.51.<br>3.16. |
| 13. | | | | |
| 14. | | | | |
| 15. | | | | |
| 16. | Seg Mar, Inc. | 72-<br>0377957 | 4/59<br>12/59 | 273.00<br>286.50 |
| 17. | | 4 | 8/59 | 449.50 |
| 18. | | 11 | 3/60<br>4/60 | 309.38<br>452.17 |
| 19. | | | | |
| 20. | | | | |
| 21. | | | | |
| 22. | | | SEE ABOVE | |
| 23. | | | | |
| 24. | | | | |
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732

1316

FORM NLRB-9188 (7-56)

## AUTHORIZATION TO SOCIAL SECURITY ADMINISTRATION TO FURNISH EMPLOYMENT AND EARNINGS INFORMATION

| NAME (Print) | DATE OF BIRTH | SOCIAL SECURITY NUMBER |
|---|---|---|
| Fannie M. Watford | 12-22-925 | 424-38-3328 |

NLRB CASE NAME AND NUMBER
J. R. Butler-Sam Mfg. Co., Inc., 15-CA-721 and 723

Division of Accounting Operations
Social Security Administration
Candler Building
Baltimore 2, Maryland

Dear Sirs:

Please list below and forward to the National Labor Relations Board at the address shown on the bottom of this sheet the complete record (by quarters) of my places of employment, the employers' addresses, and my corresponding earnings.

Signature Fannie M. Watford

(DO NOT WRITE BELOW THIS LINE)

TO THE SOCIAL SECURITY ADMINISTRATION FROM NLRB: PLEASE SUPPLY THIS INFORMATION FOR THE PERIOD

FROM April 1, 1955 TO Present

### RECORD OF EMPLOYMENT AND EARNINGS

| NAME AND ADDRESS OF EMPLOYER | E.I. NUMBER | PERIOD OF EMPLOYMENT | AMOUNTS OF WAGES |
|---|---|---|---|
| 1. Me 11 Wages from 6/55 to present | | | |
| 2. | | | |
| 3. | SOCIAL SECURITY ADMIN. PER CF | 3/15/58 6/55 | None |
| Cisco a Trinchard Imperial Dyg House 4.430 Tulane Ave New Orleans La | 72-0375721 | THUR 9/52 12/52 | 362.01 |
| 5. | M.B. 18.6720 pg. 9760 | 3/57 | 225.00 |
| 6. | | 6/59 THUR | NONE |
| 7. | | 6/61 | |
| 8. | | 7-61 | |
| 9. | | | |
| 10. | | | |
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| 12. | | | |
| 13. | | | |

REGIONAL OFFICE ADDRESS: NATIONAL LABOR RELATIONS BOARD

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

9-27-61

T-2436
9) 6521

GC-8
April 5, 1955
Registered Mail—Air Mail

J. H. Rutter-Rex Manufacturing Company
3725 Dauphine Street
New Orleans, Louisiana

Gentlemen:

The Rutter-Rex members of the Amalgamated Clothing Workers of America, at a meeting held on March 31, 1955, voted to terminate and abandon their strike against the Rutter-Rex Manufacturing Company as of said date. You are, therefore, hereby notified that the said strike is terminated and abandoned.

Please be advised that each of the employees whose names are listed on the attached sheets hereby offers to return to work for your company unconditionally and immediately. Kindly inform us when and where these employees should return to work.

Very truly yours,

PHILIP LAMPERT,
Regional Counsel
Amalgamated Clothing
Workers of America

PL/dd
Attach.

cc: James E. Youngdahl
Richard Brazier
Louisiana Division of Employment Security
Nation Labor Relations Board,
New Orleans, Louisiana

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. GC-8
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

Received, Apr. 6, 1955, National Labor Relations Board,
15th Regional Office, New Orleans 13, La.

X Mary A. Guidry
1715 N. Derbigny Street

X Eliska Martin
2716 Conti Street

X Katie Carr
2533 S. Rocheblave Street

X Indiana Gamble
3612 Dauphine Street

X Gertrude La Rose
1406 St. Philip Street

X Bessie Brown
7303 Palm Street

X Juanita Columbus
4111 Melpomene Street

X Geneva Gabriel
1472 Senate Street, Apt. M.

X Herise Green
3700 Thalia Parkway, Apt. C.

X Ethel Griffin
2226 Clouet Street

X Elizabeth Burns
2217 Dryades Street

O Evelyn Sims
1935 Delachaise Street

X Leonard Lewis
Rt. 5, Box A-75

X Ethel Caston X Coston
3321 Louisa Street

X Bessie Cooper
2908 Audobon Street

X Geraldine Merridith
2521 Forstall Street

X Ruth Brumfield
2540 Forstall Street

X Leonardine Smith
2817 Marigny Street

X Rose Marie Hicks
676 H. Galvez Street

X Hilda Valentine
2335 Pauger Street

X Marian Williams
2323 Washington Avenue

X Virginia Johnson
535 N. Prieur Street

X Ruth Hubbard
2004 Lafitte Street

X Edna Jones
923 St. Ann Street

X Alnetta Kimble
3620 Erato Street, Apt. A.

X Doris Bowles
2427 Louisa Street

X Dorothy Dandridge
4810 N. Tonti Street

X Luella Johnson
3320 N. Tonti Street

X Dora Anderson
2326 Toledano Street

X Alice E. Williams
2007 La Salle Street

X Audrey Zeno
1916 Constantinople Street

X Leonce Breaud
1523 N. Prieur Street

O Lela Caston
3321 Louisa Street

X Clotilde Nicholas
2801 Monticello Street

X Clara Mae Shelton
2521 Forstall Street

X Fannie Watford
2510 Lamanche Street

X Marguerite Bozonier
2314 St. Maurice Street

X Helen Clay
2018 Annette Street

O Margaret Franklin
7726 Benjamin Street

X Norma S. Duckett
1801 Hendee Avenue

X Mary Thomas
3115 Metropolitan Street

X Yvonne Woodfork
2223 London Avenue

X Minnie Mae Fernandez
1717 Flood Street

X Freddie Harris
2112 Delachaise Street

X Adele R. Nash
1917 Delachaise Street

X Elnora Patterson
4032 Eve Street

X Geneva Fountain
2621 S. Rocheblave Street

X Marietta Newman
2530 Freret Street

X Gustavia Haynes
1120 S. Salcedo Street

X Elvera M. Brown
1829 Constantinople

X Elmarie Lanier
5116 Chartres Street

X Lula Mae Washington
1415½ Clara Street

X Gloria Delpit
1721 New Orleans Street

X Marie Lockett
2016 Alabo Street

X Beatrice H. White
2631 S. Johnson Street

X Audry Ann Lewis
2830 Upperline Street

X Marguriete Brown
3051 Clouet Street

X Louise Green
3026 Metropolitan Street

X Zearlee Franklin
1417 S. Galvez Street

O Alma Mae Holmes
3313 S. Liberty Street

X Louise Phillips
1304 St. Anthony Street

X Belle B. Brimmer
5323 N. Claiborne Avenue

X Jesenu A. Thornton
2307 Dryades Street

X Marguerite Head
3142 N. Tonti Street

X Isabelle Eddington
712 N. Rocheblave Street

X Rose Richardson
2621 S. Rocheblave Street

X Iworner Alexander
1125 Treme Street

X Luvenia Thomas
1500 Lamanche Street

X Veoila Gibson (Hamilton)
1234 Alaho Street

X Caledonia Alonzo
616 Lizardi Street

X Mathilda Delpit
1721 New Orleans Street

X Alice H. Evans
3823 Melpomene Street

X Adele Lewis Robertson
3404 Momus Court

X Marion Banks
5312 Constance Street

X Amelia Lesire
Lesene
2749 St. Peter Street

X Dlores Scott
3923 Buchanan Street

X Ruby Lee
3051 Clouet Street

X Idele Brown
2812 General Taylor Street

X Millie Lee Stewart
1918 Second Street

X Clara Cropper
1329 Andry Street

X Millie M. Brooks
1727 St. Ann Street

X Lena Mae Moten
2620 St. Maurice Avenue

O Earline Baker
2518 Philip Street

X Elvera L. Davis
2306 Louisa Street

X Edna Francis
2218 Jackson Avenue

X Elizabeth B. Drake
3201 S. Robertson Parkway

X Evangeline Brown
1231 Elmira Avenue

X Victorie Allen
1542 Gordon Street

X Lucille Coasten
1933 Reynes Street

X Lorraine Lyons
2314 London Street

X Helen Holden
1635 N. Prieur Street

X Jennie Hollingshed
3331 Louisa Street

X Isabella Recasner
1306 Gordon Street

X Jimmie Lou Green
2739 Metropolitan Street

Myrtle Brooks

X Clarinda Aultman
3023 College Street

X Wilhelminia Ray
2831 General Taylor Street

X Ninnie Belle Hughes
3339 Louisa Street

X Roberta Monette
7701 Olive Street

X Gloria Mae Penn
2210 Flood Street

X Eleanora Jackson
2415 St. Philip Street

X Ola Mae Burkhalter
2926 Law Street

X Thelma R. Davis
2306 Louisa Street

X Amanda Bickham
2724 Saratoga Street

X Dorothy B. Rubit
1707 Nunez Street

X Kathleen Lodge
515 Lizardi Street

X Eleanor Margin
2222 Jackson Avenue

X Octavia Smith
1721 Marais Street

X Dorothy Marshall
3322 Abundance Street

X Dorothy Green
1904 Iberville Street

X Edna Le Beaue
2133 Third Street

X Gloria August
1520 N. Derbigny

X Lillie Mae Clements
3011 Law Street

Received, Apr. 6, 1955, National Labor Relations Board, 15th Regional Office, New Orleans 13, La.

GC-9

April 8, 1955

Registered Mail

J. H. Rutter-Rex Manufacturing Company, Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

Gentlemen:

In line with our registered letter of April 5, 1955 informing you that our strike against your company was terminated and abandoned, we wish to submit an additional list of employes, whose names and addresses are listed on the attached sheet, who hereby offer to return to work for your company unconditionally and immediately. Kindly inform us when and where these employees should return to work.

Very truly yours,

PHILIP LAMPERT,
Counsel
Amalgamated Clothing
Workers of America

PL/l

cc: James E. Youngdahl
Richard Brazier
NLRB, N. O., La.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. GC-9
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

X Geraldine Rollins
2521 Charbonnette Street

X Mary Gant
Box 459, Chalmette, La.

X Helen Williams
2607 Deslonde Street

X Hattie Walker
2621½ La Salle Street

X Doris Lewis
2026 Feliciana Street

X Shirley Courseault
2118 Bartholomew Street

X Lillian Simpson
3509 Thalia Parkway, Apt. C.

X Arthomise Dufauchard
1513 N. Prieur Street

X Orelia Moore
9031 Hickory Street

X Olivia Johnson
4103 Holly Grove Street

X Edna Randall
1510 Flood Street

X Mary Louise Carter
2024 Second Street

X Vera Fulton
1712 Lizardi Street

X Shirley Jones
2429 Montegut Street

O Mary Tate
730 S. Rendon Street

X Gloria Rapp
2735 Peneston Street

X Beatrice Washington
2332 Winthrop Street

X Johnnie Mae Keelen
1915 Tupelo Street

X Victoria Henderson
2805 Cadiz Street

X Nerlie Reeves
Laussat Place

X Willie Lee Marshall
2309 Louisa Street

O Lula S. Collins
2315 Clouet Street

X Pearl Ferguson
1420 S. Galvez Street

X Joyce M. Griffin
1520 N. Derbigny Street

X Ellen Sawyer

Corrections on employee list submitted with registered letter of April 5, 1955:

X Bessie Cooper
2908 Audobon Street

X Amanda Bickham
2724 Saratoga Street

XDolores Scott
3923 Buchanan Street

GC-10

J. H. RUTTER-REX-MANUFACTURING CO.
INCORPORATED
Work Shirts —— *for the Wholesale Trade* —— Work Pants

Main Office Phone VAlley 2484

P.O. Box 3068 Station D
New Orleans

April 11, 1955

Mr. Philip Lampert, Counsel,
Amalgamated Clothing Workers of America,
P. O. Box 1241,
New Orleans 10, Louisiana.

Dear Mr. Lampert:

We acknowledge receipt of your recent letters of April 4th and 8th, advising us that the strike has been officially terminated and that certain persons who participated in the strike are desirous of returning to their former employment with this company.

We suggest that such persons as desire to return to work with us file application with our Personnel Office as soon as possible.

Since we cannot process all applications at one time, we would suggest that you have the applicants come in at the rate of no more than 20 per day.

Very truly yours,

J. H. RUTTER-REX-MFG. CO., INC.
/s/ A. H. Denis
A. H. DENIS

AHD:amk

REGISTERED MAIL.
RETURN RECEIPT REQUESTED.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. GC-10
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

New York Sales Office 5812 Empire State Bldg.
Phone CHickering 4-2561

GC-11

Received, Apr. 25, 1955, National Labor Relations Board, 15th Regional Office, New Orleans 13, La.

April 22, 1955

Registered Mail

J. H. Rutter-Rex Manufacturing Company, Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

Gentlemen:

In response to your letter of April 11, 1955, we wish to point out that although we have sent your employees, who participated in the strike, to your Personnel Office in groups of 20 per day, as you requested, we consider those employees as having unconditionally applied for employment on the date you received our registered letters along with lists of names attached thereto.

At this time we wish to submit an additional list of employees, whose names and addresses are listed on the attached sheet, who hereby offer to return to work for your company unconditionally and immediately. We will have these individuals report to your Personnel Office as per your instructions of April 11, 1955.

Very truly yours,

PHILIP LAMPERT,
Regional Counsel
Amalgamated Clothing
Workers of America

PL/jhd

cc: James E. Youngdahl
Richard Brazier
NLRB, N. O., La.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. GC-11
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

X Carrie D. Anderson
2516 South Galvez Street

X Wilhelimina Coleman
3016 Thalia Street

X Catherine Givens
1823½ Foucher Street

O Lula Mae Haughton
2430 Clara Street

X Louise Jackson
3414 Willow

X Vivian McGee
2321½ Delachaise Street

O Elouise Pierre
2611 Dancel Street

X Dorothy Mae Taplin
1307 South Genois Street

O Mildred A. Blackwell
1201 North Prieur Street

X Gloria Dixon
2934 Fauger Street

X Catherine Hall
2037 Second Street

X Ida Haynes
2826 Clouet Street

X Louis Larrieu
1513 Andry Street

X Rose Lee Newton
1513 Andry Street

X Rebecca Seaton
2321½ Delachaise Street

Correction on employee list submitted with registered letter of April 8, 1955:

X Nerlie Reeves
3128 Lausset Place

Received, Apr. 25, 1955, National Labor Relations Board, 15th Regional Office, New Orleans 13, La.

GC-12

Received, May 16, 1955, National Labor Relations Board, 15th Regional Office, New Orleans 13, La.

May 13, 1955

Registered Mail

J. H. Rutter-Rex Manufacturing Company, Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

Gentlemen:

In accord with our registered letters of April 5th, 8th and 22nd, we wish to submit an additional list of employees, whose names and addresses are listed below, who hereby offer to return to work for your company unconditionally and immediately. We will have these individuals report to your personnel office as per your instructions in your letter of April 11, 1955.

O Louise Rose
1828 Pauger Street

X Dorothy Kelly
2522 Second Street

X Shirley Parker
3507 Pauger Street

X Audrey Griffin
5515 North Robertson Street

X Leotha McKinney
1014 St. Claude Street

X Ada Sanders
1717 Benton Street

Very truly yours,

PHILIP LAMPERT,
Regional Counsel
Amalgamated Clothing
Workers of America

PL/l

cc: James E. Youngdahl
Richard Brazier
NLRB, N. O., La.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. GC-12
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RES. # 6

PARISH OF ORLEANS )
) ss
STATE OF LOUISIANA )

*Affidavit*

I, Ira Mae Berry having been sworn do state:

* * * *

I have read the above statement of 7 pages & it is true to the best of my knowledge & belief.

/s/ Ira Mae Berry

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-6
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 7

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Dorothy Weathersby, 2806 Alvar St, ph no Wh 73752, being duly sworn under oath depose and say:

* * * *

I have had read to me the above consisting of this page and 5 other pages and swear it is true to the best of my knowledge and belief.

/s/ Mrs. Dorothy Weathersby

Sworn to and subscribed before me this 16th of Jan 1961 at New Orleans La

/s/ Gilbert P. Cohen
Atty. NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-7
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 10

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Rosalie Thornton, 3927 Duplessis St Apt L, ph no 282 6417 New Orleans, La being duly sworn under oath depose and say:

* * * *

I have read the above consisting of this page and 7 other pages and swear it is true to the best of my knowledge and [bef (Mrs. R. T.)] belief.

/s/ Mrs. Rosalie Thornton

Sworn to and subscribed before me this 12th day of Jan 1961 at New Orleans La.

/s/ Gilbert P. Cohen
Atty NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-10
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT'S EXHIBIT # 13

I, Edna Francis being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true and accurate to the best of my knowledge and belief.

/s/ Edna Francis

Subscribed and sworn to before me this 19th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-13
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT'S EXHIBIT # 13

I, Edna Francis being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true and accurate to the best of my knowledge and belief.

/s/ Edna Francis

Subscribed and sworn to before my this 19th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-13
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT'S EXHIBIT # 18

I, Marguerite Bozonier being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true and accurate to the best of my knowledge and belief.

/s/ Marguerite Bozonier

Subscribed and sworn to before me this 11th day of March 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-18
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 30

I, Adele Robertson being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true and accurate to the best of my knowledge and belief.

/s/ Adele Lewis Robertson

Subscribed and sworn to before me this 21st day of March 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-30
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 38

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Anna L. Parker, 8815 Fig St, HU 88356, New Orleans, La, being duly sworn under oath depose and say:

* * * *

I have read the above consisting of this page and 9 other pages and swear it is true to the best of my knowledge and belief.

/s/ Anna Parker

Sworn to and subscribed before me this 17th day of January 1961 at New Orleans, La.

/s/ Gilbert P. Cohen,
Atty NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-38
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 48

I, Marie Lockett being duly sworn upon my oath depose and say:

* * * *

/s/ Mrs. Marie G. Lockett

Subscribed and sworn to before me this 12th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-48
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 50

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Doris Earline Bowles, 2335½ Louisa St, WH 38228, New Orleans, La, being duly sworn under oath depose and say:

* * * *

I have had read to me the above consisting of this page and 7 other pages and swear it is true to the best of my knowledge and belief.

/s/ Doris E. Bowles

Sworn to and subscribed before me this 2nd day of Feb 1961 at New Orleans, La.

/s/ Gilbert P. Cohen,
Atty NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-50
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 51

Rejected File

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Mary Lee Taylor, 1239 S. Saratoga N. O. (I can be contacted at JA 22497), being duly sworn under oath depose and say:

* * * *

I have had read to me this statement consisting of this page and 5 other pages and swear it is true to the best of my knowledge and belief.

/s/ Mary Lee Taylor

Sworn to and subscribed before me this 17th day of January 1961 at New Orleans, La.

/s/ Gilbert P. Cohen
Atty NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-51
Disposition—Rejected
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

R # 52

PARISH OF ORLEANS )
) ss
STATE OF LOUISIANA )

*Affidavit*

I, Minnie Mae Fernandez having been sworn do state:

* * * *

I have read the above statement of 9 pages & it is true to the best of my knowledge & belief.

/s/ Minnie Mae Fernandez

Subscribed & sworn to before me this 6th day of Feb 1961 at 11:35 p.m. in the NLRB office.

/s/ Loren P. Jones
NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-52
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

FORM NLRB-916 (9-50)

Form Approved
Budget Bureau No. 64-R008.2

NATIONAL LABOR RELATIONS BOARD

# STATEMENT OF CLAIMANT FOR PURPOSES OF BACK PAY

**NOTICE - READ CAREFULLY**

WARNING - THE ATTENTION OF PERSONS FILING THIS FORM WITH THE BOARD IS DIRECTED TO U. S. CODE, TITLE 18, SEC. 1001 (FORMERLY SEC. 80), WHICH PROVIDES THAT ANY PERSON WILLFULLY MAKING OR CAUSING TO BE MADE ANY FALSE OR FRAUDULENT STATEMENTS OR REPRESENTATIONS IN ANY MANNER WITHIN THE JURISDICTION OF THE BOARD SHALL BE FINED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN 5 YEARS, OR BOTH.

INSTRUCTIONS: All items on this statement must be answered. Where item does not apply in your case, mark "Does not apply." Use typewriter or print answers in ink. If more space is needed; attach an additional sheet. BE SURE TO SIGN AND DATE THIS STATEMENT AT BOTTOM OF PAGE 4.

NOT TO BE FILLED IN BY CLAIMANT

CASE NO.

RESPONDENT

BACK PAY PERIOD

FROM | TO

1. NAME OF CLAIMANT (MR., MRS. or MISS)
Wilhelmina Ray

2. DATE OF BIRTH
10-8-1930

3. SOCIAL SECURITY NO.
423-42-1128

4. MAIDEN NAME, IF MARRIED

5. OTHER NAMES USED, IF ANY

6. ADDRESS (Street and No., City, Zone and State. Notify regional office of NLRB of new address if you move)
2831 General Taylor St. New Orleans 15, La.

7. TELEPHONE NO.
TW-5-7661

8. LIST BELOW FRIENDS OR RELATIVES WHO WILL KNOW WHERE YOU ARE IN CASE YOU MOVE

| NAME | ADDRESS | TELEPHONE NUMBER |
|---|---|---|
| Mr John Ray Jr. | 1403½ Milton St. | Fr. 5098 |
| Mrs Dean is Johnson | 2835 Gen Taylor St | TW-5-6[illegible] |
| Mrs Susie Ray | 2831 Gen Taylor St. | TW-5-7661 |

9. SUPPLY THE FOLLOWING INFORMATION REGARDING YOUR EMPLOYMENT AT
J. H. Ruttle Mfg. Co.
(Name of Company)

A. NAME OF DEPARTMENT YOU WERE IN AT TIME OF DISCRIMINATION
Sewing

B. KIND OF JOB YOU HAD AT TIME OF DISCRIMINATION
Sewing Machine Operator

C. DATE YOU STARTED WORKING FOR THIS COMPANY
Nov. 1953

10. LIST BELOW ALL PERIODS OF ILLNESS, INCLUDING PREGNANCY; ON VACATION; IN MILITARY SERVICE; IN JAIL OR ASYLUM; OR ON STRIKE, DURING THE BACK PAY PERIOD SHOWN ABOVE.

| DATES FROM | DATES TO | REASON (Illness, vacation, on strike, etc.) | WERE YOU PAID DURING THIS PERIOD ("Yes" or "No") | HOW MUCH WERE YOU PAID? |
|---|---|---|---|---|
| 4/21/54 | 4/5/55 | On Strike | No | |
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## 9. EMPLOYMENT HISTORY

(1) Give a complete record of your employment, and earnings, including earnings from your own business, during the back pay p
own business, state "own business." (Attach W-2 forms, Withholding Statement, received from employers during the back pa

(2) If you were unemployed during the back pay period, write "unemployed," put in the dates of the unemployment period or per
companies where you looked for work.

(3) ACCOUNT FOR ALL PERIODS OF TIME DURING THE BACK PAY PERIOD.

| PERIOD COVERED | | EMPLOYER'S NAME | EMPLOYER'S ADDRESS |
|---|---|---|---|
| DATE UN | DATE ENDED | | |
| 4/ /55 | 8/ /55 | A + L Cleaners | 4242 Piety |
| 8/ /55 | | Mrs Harris + Fredericks | 832 Maison Blanche |
| 56 | | Mrs Harris + Fredericks | 832 Maison Blanche |
| 57 | still working | Mrs Harris + Fredrick | 832 Maison Blanche |
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RESPONDENT'S EXHIBIT No. 66-A

DO NOT WRITE IN THIS SPACE

on page 1. If you show earnings from your They will be returned.)

ript after these dates show the names of the

| KIND OF JOB | TOTAL EARNINGS | REASON FOR LEAVING (Quit, Fired, or Laid off) |
|---|---|---|
| [illegible] | 162.00 | quit |
| [illegible] | 588.00 | |
| " | 1,580.00 | |
| | 1,664.00 | still working |

## 10. REGISTRATION FOR UNEMPLOYMENT BENEFITS AND RELIEF

GIVE ALL DATES WHEN YOU VISITED A GOVERNMENT AGENCY TO:

(1) Look for a job
(2) Register for unemployment checks
(3) Register for relief

| DATE REGISTERED | NAME OF GOVERNMENT AGENCY | CITY AND STATE |
|---|---|---|

11. LIST YOUR EXPENSES DURING BACK PAY PERIOD (You may be entitled to expenses you had in seeking work and working elsewhere which you would not have had had you not been discriminated against. List below such expenses for travel, room, board, and laundry when away from home; moving family and personal property; employment agency fees; and other expenses while looking for work and working elsewhere. Give as much detail as possible, including forms paid for travel, mileage costs, etc.)

| KIND OF EXPENSE | PERIOD COVERED | | PLACE EXPENSE WAS INCURRED | AMOUNT OF EXPENSE |
|---|---|---|---|---|
| | FROM | TO | | |
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12. DECLARATION

KNOWING THAT ANYONE WHO WILFULLY MAKES A FALSE STATEMENT OR REPRESENTATION IN ANY MATTER WITHIN THE JURISDICTION OF ANY AGENCY OF THE UNITED STATES IS COMMITTING A CRIME PUNISHABLE UNDER FEDERAL LAW, I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.

2/19/38
Date

Miss Wilhelmina Ray
Signature of claimant

DO NOT WRITE BELOW THIS LINE



GPO 83-2607

RESPONDENT # 66-B

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Wilhelmina Ray, 3916 Odin ST 288 6007, New Orleans, La, being duly sworn under oath depose and say:

* * * *

I have had read to me the above consisting of this page and 5 other pages and swear it is true to the best of my knowledge and belief.

/s/ (Miss) Wilhelmina Ray

Sworn to and subscribed before me this 8th day of Feb 1961 at New Orleans, La.

/s/ Gilbert P. Cohen,
Atty, NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-66-B
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 73

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Maybelle Johnson, 213 Bengal Road, Kenner, Louisiana, New Orleans 23, Louisiana, (I can be contacted at 729-0306) being duly sworn under oath depose and say:

* * * *

I have had read to me this statement consisting of this page and 11 other pages and swear it is true to the best of my knowledge and belief.

/s/ X

Sworn to and marked before me this 16th day of January 1961 at New Orleans, La.

/s/ Gilbert P. Cohen,
Atty, NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-73
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 74

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Bessie Lee, 2436 Robert St, TW 52714, New Orleans, La being duly sworn under oath depose and say:

* * * *

I have had read to me the above consisting of this page and 5 other pages and swear it is true to the best of my knowledge and belief.

/s/ Bessie Lee

Sworn to and subscribed before me this 30th day of Jan 1961 at New Orleans La.

/s/ Gilbert P. Cohen,
Atty, NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-74
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

FORM NLRB-916
10-501

NATIONAL LABOR RELATIONS BOARD

Form Approved
Budget Bureau No. 64-R008.3

# STATEMENT OF CLAIMANT FOR PURPOSES OF BACK PAY

**NOTICE - READ CAREFULLY**

WARNING - THE ATTENTION OF PERSONS FILING THIS FORM WITH THE BOARD IS DIRECTED TO U. S. CODE, TITLE 18, SEC. 1001 (FORMERLY SEC. 80), WHICH PROVIDES THAT ANY PERSON WILLFULLY MAKING OR CAUSING TO BE MADE ANY FALSE OR FRAUDULENT STATEMENTS OR REPRESENTATIONS IN ANY MANNER WITHIN THE JURISDICTION OF THE BOARD SHALL BE FINED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN 5 YEARS, OR BOTH.

INSTRUCTIONS: All items on this statement must be answered. Where item does not apply in your case, mark "Does not apply." Use typewriter or print answers in ink. If more space is needed, attach an additional sheet. BE SURE TO SIGN AND DATE THIS STATEMENT AT BOTTOM OF PAGE 4.

**NOT TO BE FILLED IN BY CLAIMANT**

CASE NO.

RESPONDENT

BACK PAY PERIOD

FROM | TO

1. NAME OF CLAIMANT (MR., MRS./or MISS)
Bessie Lee

2. DATE OF BIRTH
2/25/26

3. SOCIAL SECURITY NO.
439-30-4884

4. MAIDEN NAME, IF MARRIED
Bessie Cooper

5. OTHER NAMES USED, IF ANY

6. ADDRESS (Street and No., City, Zone and State. Notify regional office of NLRB of new address if you move)
3436 Colette St.

7. TELEPHONE NO.
TA 5-2714

8. LIST BELOW FRIENDS OR RELATIVES WHO WILL KNOW WHERE YOU ARE IN CASE YOU MOVE

| NAME | ADDRESS | TELEPHONE NUMBER |
|---|---|---|
| Juanita Lee | 9322 Apricot | |
| Helen Williams | 1212 N. Claiborne | |
| Frances Cooper | 1531 Claret | |

9. SUPPLY THE FOLLOWING INFORMATION REGARDING YOUR EMPLOYMENT AT
J. H. Cotton Mfg. Co.
(Name of Company)

A. NAME OF DEPARTMENT YOU WERE IN AT TIME OF DISCRIMINATION
Loom

B. KIND OF JOB YOU HAD AT TIME OF DISCRIMINATION
~~set~~ weft winder

C. DATE YOU STARTED WORKING FOR THIS COMPANY
Summer 1942

10. LIST BELOW ALL PERIODS OF ILLNESS, INCLUDING PREGNANCY, OR VACATION; IN MILITARY SERVICE; IN JAIL OR ASYLUM; OR ON STRIKE, DURING THE BACK PAY PERIOD SHOWN ABOVE.

| DATES FROM | DATES TO | REASON (Illness, vacation, on strike, etc.) | WERE YOU PAID DURING THIS PERIOD ("Yes" or "No") | HOW MUCH WERE YOU PAID? |
|---|---|---|---|---|
| 4/21/54 | 5/5/55 | On Strike | No. | |
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## 9. EMPLOYMENT HISTORY

(1) Give a complete record of your employment, and earnings, including earnings from your own business, during the back pay p
own business, state "own business." (Attach W-2 forms, Withholding Statement, received from employers during the back pa

(2) If you were unemployed during the back pay period, write "unemployed," put in the dates of the unemployment period or pe
companies where you looked for work.

(3) ACCOUNT FOR ALL PERIODS OF TIME DURING THE BACK PAY PERIOD.

| PERIOD COVERED | | EMPLOYER'S NAME | EMPLOYER'S ADDRESS |
|---|---|---|---|
| DATE BEGUN | DATE ENDED | | |
| 9/ /55 | still working | Mrs Lucinda Jones | 2710 S. Gaston |
| 9/ /55 | still working | Mrs Helen Mullins | 1210 N. Clarkson |
| 4/ /55 | unemployed | J. H. Bonck | 1100 S. Jefferson |
| | unemployed | Southern Dairies | 301 Schumpert |
| | unemployed | B Bennett | 123 Magazine |
| | unemployed | Applied at unemployment office | Camp St. |
| | unemployed | Harry Hyman | 803 Baronne St |
| | unemployed | Mercy Hospital | 301 N Jefferson |
| | unemployed | City Clinics | Clairborne |
| | unemployed | Mason Blanche | Canal St. |
| | unemployed | Woolworths | Canal & Carondelet |
| | unemployed | Maternity + Infirmary Inc | 3037 S Carrollton |
| | unemployed | Solomon Silverman | 3031 S Carrollton |
| | unemployed | Cohen's Men Shop | 714 N. Clairborne |
| | unemployed | Morgan's & Lindsay Shop | 2300 St. Louis |
| | unemployed | Marks Isaacs | Canal St. |
| | unemployed | Foundation Hospital | 1516 Jeff. |
| 9/ /55 | unemployed | Charity Hospital | 1532 Tulane |
| 9/ /55 | unemployed | Christ Gerbridge | 2425 La. Ave |
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RESPONDENT'S EXHIBIT No. 75

DO NOT WRITE IN THIS SPACE

shown on page 1. If you show earnings from your ...ist. They will be returned.)

...and right after these dates show the names of the

| KIND OF JOB | TOTAL EARNINGS | REASON FOR LEAVING (Quit, Fired, or Laid off) |
|---|---|---|
| (mail) | 2 days pay | |
| home work | 3.00 a day | |
| (mail) | 3 days pay | |
| home work | 9.00 a day | |
| no work | | |
| no work | | |
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## 10. REGISTRATION FOR UNEMPLOYMENT BENEFITS AND RELIEF

GIVE ALL DATES WHEN YOU VISITED A GOVERNMENT AGENCY TO:

(1) Look for a job

(2) Register for unemployment checks

(3) Register for relief

| DATE REGISTERED | NAME OF GOVERNMENT AGENCY | CITY AND STATE |
|---|---|---|
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11. LIST YOUR EXPENSES DURING BACK PAY PERIOD (You may be entitled to expenses you had in seeking work and working elsewhere which you would not have had had you not been discriminated against. List below such expenses for travel, lost, board, and laundry when away from home; moving family and personal property; employment agency fees; and other expenses while looking for work and working elsewhere. Give as much detail as possible, including forms paid for travel, mileage costs, etc.)

| KIND OF EXPENSE | PERIOD COVERED FROM | PERIOD COVERED TO | PLACE EXPENSE WAS INCURRED | AMOUNT OF EXPENSE |
|---|---|---|---|---|
| (1 ea. Lace | 4/ /55 | 9/ /55 | Looking for work | $1.38 |
| Uniforms (4) (for maid work) | | | | 28.00 |
| White shoes (2 pr.) | | | | 20.00 |

RECEIVED FEB 14 1958 New Orleans, La.

12. DECLARATION

KNOWING THAT ANYONE WHO WILFULLY MAKES A FALSE STATEMENT OR REPRESENTATION IN ANY MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES IS COMMITTING A CRIME PUNISHABLE UNDER FEDERAL LAW, I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.

2/11/58
Date

Bessie Cooper Lee
Signature of claimant

DO NOT WRITE BELOW THIS LINE



GPO 83-24035

Form NLRB-916
(9-50)

Form Approved
Budget Bureau No. 64-R008.2

NATIONAL LABOR RELATIONS BOARD

# STATEMENT OF CLAIMANT FOR PURPOSES OF BACK PAY

**NOTICE - READ CAREFULLY**

WARNING - THE ATTENTION OF PERSONS FILING THIS FORM WITH THE BOARD IS DIRECTED TO U. S. CODE, TITLE 18, SEC. 1001 (FORMERLY SEC. 80), WHICH PROVIDES THAT ANY PERSON WILLFULLY MAKING OR CAUSING TO BE MADE ANY FALSE OR FRAUDULENT STATEMENTS OR REPRESENTATIONS IN ANY MANNER WITHIN THE JURISDICTION OF THE BOARD SHALL BE FINED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN 5 YEARS, OR BOTH.

INSTRUCTIONS: All items on this statement must be answered. Where item does not apply in your case, mark "Does not apply." Use typewriter or print answers in ink. If more space is needed, attach an additional sheet. BE SURE TO SIGN AND DATE THIS STATEMENT AT BOTTOM OF PAGE 4.

| NOT TO BE FILLED IN BY CLAIMANT | |
|---|---|
| CASE NO. | |
| RESPONDENT | |
| BACK PAY PERIOD | |
| FROM | TO |

1. NAME OF CLAIMANT (MR., MRS. or MISS)
Fannie Mae Walthall

2. DATE OF BIRTH
1-27-25

3. SOCIAL SECURITY NO.
424-38-3375

4. MAIDEN NAME, IF MARRIED
Fannie Mae Scott

5. OTHER NAMES USED, IF ANY

6. ADDRESS (Street and No., City, Zone and State. Notify regional office of NLRB of new address if you move)
1429 Lindsay Ave

7. TELEPHONE NO.
WA 7-5931

8. LIST BELOW FRIENDS OR RELATIVES WHO WILL KNOW WHERE YOU ARE IN CASE YOU MOVE

| NAME | ADDRESS | TELEPHONE NUMBER |
|---|---|---|
| Ruth Brumfield | 254 Forest | WA-9-3630 |
| Viola Slack | 2510 Fremont | WA-3-7723 |
| Millie Overton | 1805 Lindsay Ave | WA-5-3325 |

9. SUPPLY THE FOLLOWING INFORMATION REGARDING YOUR EMPLOYMENT AT
J. H. Cotton Mfg Co
(Name of Company)

A. NAME OF DEPARTMENT YOU WERE IN AT TIME OF DISCRIMINATION
Duck

B. KIND OF JOB YOU HAD AT TIME OF DISCRIMINATION
Top stitch operator

C. DATE YOU STARTED WORKING FOR THIS COMPANY
Jan. 1954

10. LIST BELOW ALL PERIODS OF ILLNESS, INCLUDING PREGNANCY, ON VACATION; IN MILITARY SERVICE; IN JAIL OR ASYLUM; OR ON STRIKE, DURING THE BACK PAY PERIOD SHOWN ABOVE.

| DATES FROM | DATES TO | REASON (Illness, vacation, on strike, etc.) | WERE YOU PAID DURING THIS PERIOD ("Yes" or "No") | HOW MUCH WERE YOU PAID? |
|---|---|---|---|---|
| 4/21/54 | 4/5/55 | On Strike | No. | |
| 10/55 | 2/16/56 | Illness | No | |
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## 9. EMPLOYMENT HISTORY

(1) Give a complete record of your employment, and earnings, including earnings from your own business, during the back pay period. If you were self-employed in your own business, state "own business." (Attach W-2 forms, Withholding Statement, received from employers during the back pay period.)

(2) If you were unemployed during the back pay period, write "unemployed," put in the dates of the unemployment periods and list companies where you looked for work.

(3) ACCOUNT FOR ALL PERIODS OF TIME DURING THE BACK PAY PERIOD.

| PERIOD COVERED | | EMPLOYER'S NAME | EMPLOYER'S ADDRESS |
|---|---|---|---|
| DATE BEGUN | DATE ENDED | | |
| 4/ /55 | 10/ /55 | Mrs Cavallin | 18 Linden Ravenswood |
| 8/ /56 | unemployed | J. H. Cattle | 3725 Dunphin |
| 8/1/56 | unemployed | 427 Osborn | 427 Osborn |
| 9/ /56 | unemployed | Hamann Sterling | 950 Broadway |
| 9/1/56 | unemployed | J. Bennett | 123 Monroe |
| 9/1/56 | unemployed | R. F. Davis | 3600 Royal |
| 10/1/56 | unemployed | Hotel Inn | 2527 St. |
| 10/ /56 | 2/ /57 | Dayton Chop House | 4035 Indiana |
| 11/ /57 | 2/ /57 | " " " | 4035 Indiana |
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RESPONDENT'S EXHIBIT No. 80

DO NOT WRITE IN THIS SPACE

n page 1. If you show earnings from your ay will be returned.)

pt after these dates show the names of the

| ND OF JOB | TOTAL EARNINGS | REASON FOR LEAVING (Quit, Fired, or Laid off) |
|---|---|---|
| [illegible] | 2 d. p. week 4.00 a day | Quit pregnant |
| [illegible] | | |
| [illegible] | | |
| [illegible] | | |
| " | | |
| " | | |
| " | | |
| [illegible] | 1956 367.01 | Quit |
| [illegible] | 1957 225.00 | pregnant |

## 10. REGISTRATION FOR UNEMPLOYMENT BENEFITS AND RELIEF

GIVE ALL DATES WHEN YOU VISITED A GOVERNMENT AGENCY TO:

(1) Look for a job
(2) Register for unemployment checks
(3) Register for relief

| DATE REGISTERED | NAME OF GOVERNMENT AGENCY | CITY AND STATE |
|---|---|---|
| 2-16-55 | L.S.E.S | N.O.La |
| 2-16-55 | Look for work | |
| 2-25-55 | register for check | |
| 2-25-55 | Look for work | |
| 3-4- | register for check | |
| 3-4- | Look for work | |
| 3-11- | register for check | |
| 3-11- | Look for work | |
| 3-18- | register for check | |
| 3-25 | register for check | |
| 4-1 | PR | |
| 4-8 | register for check | |
| 4-22 | Look for work | |
| 4-22 | Reg | |
| 5-20 | register for check | |
| 5-6 | " " " | |
| 5-13 | " " " | |
| 5-20 | " " " | |
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11. LIST YOUR EXPENSES DURING BACK PAY PERIOD (You may be entitled to expenses you had in seeking work and working elsewhere which you would not have had had you not been discriminated against. List below such expenses for travel, room, board, and laundry when away from home; moving family and personal property; employment agency fees; and other expenses while looking for work and working elsewhere. Give as much detail as possible, including forms paid for travel, mileage [illegible], etc.)

| KIND OF EXPENSE | PERIOD COVERED FROM | PERIOD COVERED TO | PLACE EXPENSE WAS INCURRED | AMOUNT OF EXPENSE |
|---|---|---|---|---|
| [illegible] | 4/15 | 9/156 | [illegible] | .74 |
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12. DECLARATION

KNOWING THAT ANYONE WHO WILFULLY MAKES A FALSE STATEMENT OR REPRESENTATION IN ANY MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES IS COMMITTING A CRIME PUNISHABLE UNDER FEDERAL LAW, I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.

Feb. 3 1958
Date

Jannie Mae Whitford
Signature of claimant

DO NOT WRITE BELOW THIS LINE



GPO 83-26035

RESPONDENT # 81

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

February 3, 1961

Yvonne Parnell
4220 Holly Grove
New Orleans, La.

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the Federal Government, is presently trying to determine if the J. H. Rutter-Rex Mfg. Co. Inc. has complied with an Order of the National Labor Relations Board and a Decree of the U. S. Circuit Court of Appeals. These decisions provide, among other things, that under certain conditions a person may be entitled to job reinstatement and/or back pay. In order to determine whether the Company has complied, we must have your cooperation.

As you no doubt know, there was a strike at the Company starting on or about April 21, 1954, and ending on or about March 31, 1955.

The information we have indicates that you were employed by the Company before the strike began and that you have not applied for work at the Company or otherwise attempted to go back to work for the Company since the strike began.

If the above information is correct, will you please sign your name and place your address and phone number in the spaces provided below and return this letter to us.

If the above information is not correct, and if you live in the New Orleans, Louisiana, area, please contact Gilbert P. Cohen, Attorney at 529-2411, Extension 6417, or Loren P. Jones, Acting Compliance Officer, at 529-2411, Extension 6391, between the hours of 8:15 A.M. and 4:45

P.M., Monday through Friday, so that we may arrange to get the correct information.

If the above information is not correct, and if you do not live in the New Orleans, Louisiana, area, please write the correct information on the back of this letter, along with your name, present address, and phone number, and return this letter to us.

A self-addressed envelope, which requires no postage, is enclosed for your use.

Your cooperation will be sincerely appreciated.

Yours very truly,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

The above information is correct.

(Signed) Mrs. Yvonne Parnell
Address .....
Phone No. 899-8644

Received NLRB, 15th Reg., New Orleans, La.
Feb. 8, 8:22 A.M. '61 mb

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-81
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 84

(Rejected but Filed)

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Dorothy Kearney Reed, 1939 Lamanche St, ph no WL 59067 New Orleans, La., being duly sworn under oath depose and say:

* * * *

I have had read to me the above consisting of this page and 7 other pages and swear it is true to the best of my knowledge and belief.

/s/ Mrs. Dorothy Kearney Reed

Sworn & subscribed before me this 19th day of Jan. 1961 at New Orleans, La.

/s/ Gilbert P. Cohen,
Atty, NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-84
Disposition—Rejected
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 86

Received NLRB, 15th Reg., New Orleans, La.
Mar. 16, 8:46 A.M. '61

FIRST REMINDER

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

March 6, 1961

Miss Estella Cornish
4035 St. Ferdinand Street
New Orleans, Louisiana

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the federal government, is presently trying to determine if J. H. Rutter-Rex Manufacturing Company, Inc., has complied with an order of the National Labor Relations Board and a Decree of the United States Circuit Court of Appeals. These decisions provide, among other things, that under certain conditions a person may be entitled to job reinstatement and/or back pay. In order to determine whether the Company has complied, we must have your cooperation.

We wish to get certain information from you including your work and/or your attempts to get work at the J. H. Rutter-Rex Manufacturing Company, Inc., since the strike at that Company which started on or about April 21, 1954, and ended on or about March 31, 1955.

Please contact Gilbert P. Cohen, Attorney, at 529-2411, Extension 6417, or Loren P. Jones, Acting Compliance Officer, at 529-2411, Extension 6391, between the hours of 8:15 a.m. and 4:45 p.m., Monday through Friday, so that we can arrange to get the information from you.

If you are living out of town or are unable to contact us by phone, please write below your correct name, ad-

dress, and phone number. (If you live in or near New Orleans, Louisiana, place below what days or evenings you are available to see us.) Then, return this letter to us. A self-addressed envelope, which requires no postage, is enclosed for your use.

Disregard this letter if we have recently interviewed you, or if the arrangement for the interview has already been made.

Your cooperation will be sincerely appreciated.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

Name (Mrs.) Estelle Cornish Davis
Address 2668 Pressburg Street, N. O. La.
Phone No. 282-5518

(If you have no phone, give a phone number of someone through whom you can be contacted.)
When available for interview .....

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-86
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 94

Rejected

I, Vera Fulton being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true and accurate to the best of my knowledge and belief.

/s/ Mrs. Vera Fulton

Subscribed and sworn before me this 15th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-94
Disposition—Rejected
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT'S EXHIBIT No. 95

NLRB-938
(9-59)

Form Approved
Budget Bureau No. 64-R068.2

NATIONAL LABOR RELATIONS BOARD

# STATEMENT OF CLAIMANT FOR PURPOSES OF BACK PAY

**NOTICE - READ CAREFULLY**

NING - THE ATTENTION OF PERSONS FILING THIS FORM WITH THE BOARD IS DIRECTED TO S CODE, TITLE 18, SEC. 1001 (FORMERLY SEC. 80), WHICH PROVIDES THAT ANY SON WILLFULLY MAKING OR CAUSING TO BE MADE ANY FALSE OR FRAUDULENT STATEMENTS REPRESENTATIONS IN ANY MANNER WITHIN THE JURISDICTION OF THE BOARD SHALL BE ED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN 5 YEARS, OR BOTH.

**NOT TO BE FILLED IN BY CLAIMANT**

CASE NO.

RESPONDENT

**BACK PAY PERIOD**

FROM | TO

STRUCTIONS: All items on this statement must be answered. Where item does not ply in your case, mark "Does not apply." Use typewriter or print answers in . If more space is needed, attach an additional sheet. **BE SURE TO SIGN D DATE THIS STATEMENT AT BOTTOM OF PAGE 4.**

1. NAME OF CLAIMANT (MR., MRS. or MISS)
Vera Fulton

2. DATE OF BIRTH
Feb 5 1924

3. SOCIAL SECURITY NO.
438-28-9334

MAIDEN NAME, IF MARRIED
Vera Freyel

4. OTHER NAMES USED, IF ANY

ADDRESS (Street and No., City, Zone and State. Notify regional office of NLRB of new address if you move)
1712 Lizardi St.

5. TELEPHONE NO.
Nt 3,5735

. LIST BELOW FRIENDS OR RELATIVES WHO WILL KNOW WHERE YOU ARE IN CASE YOU MOVE

| NAME | ADDRESS | TELEPHONE NUMBER |
|---|---|---|
| Elizabeth Freyel | 1712 Lizardi | Nt 3,5735 |
| Annabelle Freyel | 1739 Lizardi | |
| Ethel Harris | 1714 Lizardi | |

. SUPPLY THE FOLLOWING INFORMATION REGARDING YOUR EMPLOYMENT AT
J. H. Kuttler Inc.
(Name of Company)

. NAME OF DEPARTMENT YOU WERE IN AT TIME OF DISCRIMINATION
Pants

C. DATE YOU STARTED WORKING FOR THIS COMPANY
1944

. KIND OF JOB YOU HAD AT TIME OF DISCRIMINATION
Tape Cutter

. LIST BELOW ALL PERIODS OF ILLNESS, (INCLUDING PREGNANCY) OR VACATION; IN MILITARY SERVICE; IN JAIL OR ASYLUM; OR ON STRIKE, DURING THE BACK PAY PERIOD SHOWN ABOVE.

| DATES FROM | DATES TO | REASON (Illness, vacation, on strike, etc.) | WERE YOU PAID DURING THIS PERIOD ("Yes" or "No") | HOW MUCH WERE YOU PAID? |
|---|---|---|---|---|
| 4/21/54 | 4/5/55 | On Strike | no | |
| 6/13/55 | 9/5/55 | On Vacation | | |
| 6/18/56 | 9/4/56 | On Vacation | | |
| 6/17/57 | 9/16/57 | On Vacation | | |
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## 9. EMPLOYMENT HISTORY

(1) Give a complete record of your employment, and earnings, including earnings from your own business, during the ba
own business, state "own business." (Attach W-2 forms, Withholding Statement, received from employers during the

(2) If you were unemployed during the back pay period, write "unemployed," put in the dates of the unemployment perio
companies where you looked for work.

(3) ACCOUNT FOR ALL PERIODS OF TIME DURING THE BACK PAY PERIOD.

| PERIOD COVERED | | EMPLOYER'S NAME | EMPLOYER'S ADDRESS |
|---|---|---|---|
| DATE BEGUN | DATE ENDED | | |
| 4/1/55 | Still working | Orleans Parish School Board | 4300 Bienville |
| 1/1/56 | " | " " " | " " |
| 1/1/57 | " | " " " | " " |
| 6/23/55 | unemployed | Charity Hospital | Tulane |
| 6/27/55 | unemployed | La Garment | 2001 St. Bern |
| 7/14/55 | unemployed | J. H. Benedi | 1100 S. Jeff Dav |
| 7/26/55 | unemployed | Imperial Hotel | Canal |
| 8/24/55 | unemployed | Orleans Parish School Board (Custodian) | 703 Carondel |
| 6/13/56 | unemployed | Excel Mfg. Co. | 611 Barrone St |
| 6/26/56 | unemployed | Mercy Hospital | 301 Jeff Dav. Blvd |
| 7/9/56 | unemployed | Hospital Linen | 2527 St. Ber |
| 7/24/56 | unemployed | Famous Stinker | 950 Poydras |
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DO NOT WRITE IN THIS SPACE

shown on page 1. If you show earnings from your
ou. They will be returned.)

and right after these dates show the names of the

| KIND OF JOB | TOTAL EARNINGS | REASON FOR LEAVING (Quit, Fired, or Laid off) |
|---|---|---|
| Waitress | 141.60 | |
| " | 178.80 | |
| " | 1,001.20 | |
| no earnings | | |
| " " | | |
| " " | | |
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11. LIST YOUR EXPENSES DURING BACK PAY PERIOD (You may be entitled to expenses you incurred in seeking work and working elsewhere which you would not have had if you not been discriminated against. List below such expenses for travel, food, board, and laundry when away from home; moving family and personal property; employment agency fees; and other expenses while looking for work and working elsewhere. Give as much detail as possible, including forms paid for travel, mileage costs, etc.)

| KIND OF EXPENSE | PERIOD COVERED FROM | PERIOD COVERED TO | PLACE EXPENSE WAS INCURRED | AMOUNT OF EXPENSE |
|---|---|---|---|---|
| Card fare | looking for work | | | 1.26 |
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RECEIVED FEB 3 1958

12. DECLARATION

KNOWING THAT ANYONE WHO WILFULLY MAKES A FALSE STATEMENT OR REPRESENTATION IN ANY MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES IS COMMITTING A CRIME PUNISHABLE UNDER FEDERAL LAW, I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.

1/31/58
Date

Vera Fulton
Signature of claimant

DO NOT WRITE BELOW THIS LINE



GPO 83-260332

RESPONDENT'S EXHIBIT No. 96

DO NOT WRITE IN THIS SPACE

Form NLRB-916 (9-50)

NATIONAL LABOR RELATIONS BOARD

Form Approved
Budget Bureau No. 64-R003.2

# STATEMENT OF CLAIMANT FOR PURPOSES OF BACK PAY

**NOTICE - READ CAREFULLY**

WARNING - THE ATTENTION OF PERSONS FILING THIS FORM WITH THE BOARD IS DIRECTED TO 18 U. S. CODE, TITLE 18, SEC. 1001 (FORMERLY SEC. 80), WHICH PROVIDES THAT ANY PERSON WILLFULLY MAKING OR CAUSING TO BE MADE ANY FALSE OR FRAUDULENT STATEMENTS OR REPRESENTATIONS IN ANY MANNER WITHIN THE JURISDICTION OF THE BOARD SHALL BE FINED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN 5 YEARS, OR BOTH.

INSTRUCTIONS: All items on this statement must be answered. Where item does not apply in your case, mark "Does not apply." Use typewriter or print answers in ink. If more space is needed; attach an additional sheet. **BE SURE TO SIGN AND DATE THIS STATEMENT AT BOTTOM OF PAGE 4.**

| NOT TO BE FILLED IN BY CLAIMANT | |
|---|---|
| CASE NO. | |
| RESPONDENT | |
| BACK PAY PERIOD FROM | TO |

| 1. NAME OF CLAIMANT (MR., MRS. or MISS) | 2. DATE OF BIRTH | 3. SOCIAL SECURITY NO. |
|---|---|---|
| Mary Gundry | Aug 7 3 18 | 439-20-4909 |

| 4. MAIDEN NAME, IF MARRIED | 8. OTHER NAMES USED, IF ANY |
|---|---|
| Mary Washington | |

6. ADDRESS (Street and No., City, Zone and State. Notify regional office of NLRB of new address if you move) — 1715 N. Rubigny St. — 5. TELEPHONE NO. — WA 7-4171

9. LIST BELOW FRIENDS OR RELATIVES WHO WILL KNOW WHERE YOU ARE IN CASE YOU MOVE

| NAME | ADDRESS | TELEPHONE NUMBER |
|---|---|---|
| Leona Camp | 1717 N. Rubigny | |
| Esther Moret | 1715 N. Rubigny | WA 7-4171 |
| | | |

7. SUPPLY THE FOLLOWING INFORMATION REGARDING YOUR EMPLOYMENT AT J. H. Cutler Mfg Co. (Name of Company)

| A. NAME OF DEPARTMENT YOU WERE IN AT TIME OF DISCRIMINATION | C. DATE YOU STARTED WORKING FOR THIS COMPANY |
|---|---|
| Parts | July 1944 |
| B. KIND OF JOB YOU HAD AT TIME OF DISCRIMINATION: Machine Setter | |

10. LIST BELOW ALL PERIODS OF ILLNESS, INCLUDING PREGNANCY; ON VACATION; IN MILITARY SERVICE; IN JAIL OR ASYLUM; OR ON STRIKE, DURING THE BACK PAY PERIOD SHOWN ABOVE.

| DATES FROM | DATES TO | REASON (Illness, vacation, on strike, etc.) | WERE YOU PAID DURING THIS PERIOD ("Yes" or "No") | HOW MUCH WERE YOU PAID? |
|---|---|---|---|---|
| 4/21/54 | 4/5/55 | On Strike | | |
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## 9. EMPLOYMENT HISTORY

(1) Give a complete record of your employment, and earnings, including earnings from your own business, during the back pay
own business, state "own business." (Attach W-2 forms, Withholding Statement, received from employers during the back p

(2) If you were unemployed during the back pay period, write "unemployed," put in the dates of the unemployment period or p
companies where you looked for work.

(3) ACCOUNT FOR ALL PERIODS OF TIME DURING THE BACK PAY PERIOD.

| PERIOD COVERED | | EMPLOYER'S NAME | EMPLOYER'S ADDRESS |
|---|---|---|---|
| DATE BEGUN | DATE ENDED | | |
| 4/ /55 | unemployed | Hoegel Bros | 2527 St. Bern |
| 8/ /55 | | Julian Shirt | 110 S. Jeff |
| 9/24 55 | working | J. H. Rutter | 3725 Broughton |
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hown on page 1. If you show earnings from your
d. They will be returned.)

ed right after these dates show the names of the

| KIND OF JOB | TOTAL EARNINGS | REASON FOR LEAVING (Quit, Fired, or Laid off) |
|---|---|---|
| No opening | | |
| No opening | | |
| Mailing date | | |
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13. LIST YOUR EXPENSES DURING BACK PA[illegible]RIOD (You may be entitled to expenses pa[illegible]id in seeking work and working elsewhere which you would not have ha[illegible]ad you not been discriminated against. L[illegible] below such expenses for travel, fo[illegible] board, and laundry when away from home; moving family and personal property; employment agency fees; and other expenses while looking for work and working elsewhere. Give as much detail as possible, including fares paid for travel, mileage costs, etc.)

| KIND OF EXPENSE | PERIOD COVERED FROM | PERIOD COVERED TO | PLACE EXPENSE WAS INCURRED | AMOUNT OF EXPENSE |
|---|---|---|---|---|
| Bus fare | 4/1/55 | 8/1/55 | Looking for work | .28 |
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12. DECLARATION

KNOWING THAT ANYONE WHO WILFULLY MAKES A FALSE STATEMENT OR REPRESENTATION IN ANY MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES IS COMMITTING A CRIME PUNISHABLE UNDER FEDERAL LAW, I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE.

1/31/58
Date

Signature of claimant

DO NOT WRITE BELOW THIS LINE



RECEIVED FEB 3

RESPONDENT # 97

Received NLRB, 15th Reg., New Orleans, La.
Dec. 13, 8:34 A.M. '60

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

December 9, 1960

Indiana Plummer
3612 Dauphine Street
New Orleans, Louisiana

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the Federal Government, is presently trying to determine if the above-named Company has complied with an Order of the National Labor Relations Board and a Decree of the U.S. Circuit Court of Appeals.

So that we may complete work on this case, we need certain information from you regarding your employment or attempts to seek employment at the above-named Company.

As you no doubt know, there was a strike at the Company which started on or about April 21, 1954, and ended on or about March 31, 1955.

The information we have indicates that you were employed by the Company before the strike began and that you have not applied for work at the Company since the strike or otherwise attempted to go back to work since the strike.

If the above information is correct, will you please sign and return this letter to us. A self-addressed envelope, which requires no postage, is enclosed for your use.

If the above is not correct, please contact the undersigned at 529-2411, Extension 6417, or Loren P. Jones, Acting Compliance Officer, at 529-2411, Extension 6391, between the hours of 8:15 A.M. and 4:45 P.M., Monday through Friday, so that we can arrange to get the correct information regarding your work and/or your attempts to get work at the above-mentioned Company.

Your cooperation will be sincerely appreciated.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

The above understanding is correct.

(Signed) Indiana Gamble Plummer

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-97
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 98

Rejected

Received NLRB, 15th Reg., New Orleans, La.
Feb. 8, 9:17 A.M. '61 mb

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

February 2, 1961

Indiana Gamble
3612 Dauphine Street
New Orleans, Louisiana

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the Federal Government, is presently trying to determine if J. H. Rutter-Rex Mfg. Co. Inc. has complied with an order of the National Labor Relations Board and a Decree of the United States Circuit Court of Appeals. These decisions provide, among other things, that under certain conditions a person may be entitled to job reinstatement and/or back pay. In order to determine whether the Company has complied, we must have your cooperation.

We wish to get certain information from you including your work and/or your attempts to get work at the J. H. Rutter-Rex Mfg. Co., Inc. since the strike at that Company which started on or about April 21, 1954 and ended on or about March 31, 1955.

Please contact Gilbert P. Cohen, Attorney, at 529-2411, Extension 6417, or Loren P. Jones, Acting Compliance Officer, at 529-2411, Extension 6391, between the hours of 8:15 A.M. and 4:45 P.M., Monday through Friday, so that we can arrange to get the information from you.

If you are living out of town or are unable to contact us by phone, please write below your correct name, address, and phone number. (If you live in or near New Orleans, Louisiana, place below what days or evenings you are available to see us.) Then, return this letter to us. A self-addressed envelope, which requires no postage, is enclosed for your use.

Your cooperation will be sincerely appreciated.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

Name Indiana Plummer
Address 3612 Dauphine Street
Phone Number WH-3 1517

(If you have no phone, give a phone number of someone through whom you can be contacted).

When available for interview—after four in afternoon

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-98
Disposition—Rejected
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 113

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Mildred Proctor, 2051 N. Miro, WL 97493, New Orleans, La, being duly sworn under oath depose and say:

* * * *

I have had read to me the above statement consisting of this page and 4 other pages and swear it is true to the best of my knowledge and belief.

/s/ Mildred Proctor

Sworn to and subscribed before me this 20th day of Jan 1961 at New Orleans, La.

/s/ Gilbert P. Cohen,
Atty NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-113
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 124

I, Lula Mae Washington being duly sworn upon my oath depose and say:

• • • •

I certify that I have read the above statement with care and that it is true and accurate to the best of my knowledge and belief.

/s/ Lula Mae Washington

Subscribed and sworn to before me this 15th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-124
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 128

I, Bessie Brown, being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true and accurate to the best of my knowledge and belief.

/s/ Miss Bessie Brown

Subscribed and sworn to before me this 18th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-128
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT'S EXHIBIT No. 130

DO NOT WRITE IN THIS SPACE

FORM NLRB-722
(11-501)

Form Approved
Budget Bureau No. 64-R008.3

NATIONAL LABOR RELATIONS BOARD

# STATEMENT OF CLAIMANT FOR PURPOSES OF BACK PAY

**NOTICE - READ CAREFULLY**

WARNING - THE ATTENTION OF PERSONS FILING THIS FORM WITH THE BOARD IS DIRECTED TO U. S. CODE, TITLE 18, SEC. 1001 (FORMERLY SEC. 80), WHICH PROVIDES THAT ANY PERSON WILLFULLY MAKING OR CAUSING TO BE MADE ANY FALSE OR FRAUDULENT STATEMENTS OR REPRESENTATIONS IN ANY MANNER WITHIN THE JURISDICTION OF THE BOARD SHALL BE FINED NOT MORE THAN $10,000 OR IMPRISONED NOT MORE THAN 5 YEARS, OR BOTH.

INSTRUCTIONS: All items on this statement must be answered. Where item does not apply in your case, mark "Does not apply." Use typewriter or print answers in ink. If more space is needed, attach an additional sheet. BE SURE TO SIGN AND DATE THIS STATEMENT AT BOTTOM OF PAGE 4.

NOT TO BE FILLED IN BY CLAIMANT

CASE NO.

RESPONDENT

BACK PAY PERIOD

FROM | TO

1. NAME OF CLAIMANT (MR., MRS. or MISS)
Miss ELENORA JACKSON

2. DATE OF BIRTH
8-11-28

3. SOCIAL SECURITY NO.
343-32-7576

4. MAIDEN NAME, IF MARRIED
—

5. OTHER NAMES USED, IF ANY

6. ADDRESS (Street and No., City, Zone and State. Notify regional office of NLRB of new address if you move)
1720 BERSILINE

7. TELEPHONE NO.
WA 4-5217

8. LIST BELOW FRIENDS OR RELATIVES WHO WILL KNOW WHERE YOU ARE IN CASE YOU MOVE

| NAME | ADDRESS | TELEPHONE NUMBER |
|---|---|---|
| Vinnie Banks | 1132 Delmaine | |
| Irene Jackson | 1820 Annunziata | |
| Pete Dumas | 2225 Frere | EA-2250 |

9. SUPPLY THE FOLLOWING INFORMATION REGARDING YOUR EMPLOYMENT AT
J. H. Ritter Ice Co.
(Name of Company)

A. NAME OF DEPARTMENT YOU WERE IN AT TIME OF DISCRIMINATION
Paint Dept.

B. KIND OF JOB YOU HAD AT TIME OF DISCRIMINATION
Machine Operator (Cabbie-Sewer)

C. DATE YOU STARTED WORKING FOR THIS COMPANY
June or July 1952

10. LIST BELOW ALL PERIODS OF ILLNESS, INCLUDING PREGNANCY; ON VACATION; IN MILITARY SERVICE; IN JAIL OR ASYLUM; OR ON STRIKE, DURING THE BACK PAY PERIOD SHOWN ABOVE.

| DATES FROM | DATES TO | REASON (Illness, vacation, on strike, etc.) | WERE YOU PAID DURING THIS PERIOD ("Yes" or "No") | HOW MUCH WERE YOU PAID? |
|---|---|---|---|---|
| Jul 1951 | Jan. 15, 1952 | Pregnancy | No | — |
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## 9. EMPLOYMENT HISTORY

(1) Give a complete record of your employment, and earnings, including earnings from your own business, during the back pay p... own business, state "own business." (Attach W-2 forms, Withholding Statement, received from employers during the back pa...

(2) If you were unemployed during the back pay period, write "unemployed," put in the dates of the unemployment period or per... companies where you looked for work.

(3) ACCOUNT FOR ALL PERIODS OF TIME DURING THE BACK PAY PERIOD.

| PERIOD COVERED | | EMPLOYER'S NAME | EMPLOYER'S ADDRESS |
|---|---|---|---|
| DATE BEGUN | DATE ENDED | | |
| 4-20-54 | 4-5, 1955 | ON STRIKE | |
| 4-5, 1955 | 7- 1955 | UNEMPLOYED. | |
| 7- 1955 | 7- 1956 | J.H. RUTTER. | 3145 DAVENPORT ST |
| 11- -56 | 5- -1956 | ALTO PLASTIC | 1461 E 15th ST. Los Angeles |
| 5- -1956 | 7- 1956 | UNEMPLOYED | |
| 7- 1956 | 1-15- 1958 | (UNEMPLOYED - PRE-NAVY) | |
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page 1. If you show earnings from your
y will be returned.)

t after these dates show the names of the

| OF JOB | TOTAL EARNINGS | REASON FOR LEAVING (Quit, Fired, or Laid off) |
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| A3EL SELES) | | QUIT. |
| | $27.00 | QUIT |
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## 10. REGISTRATION FOR UNEMPLOYMENT BENEFITS AND RELIEF

GIVE ALL DATES WHEN YOU VISITED A GOVERNMENT AGENCY TO:

(1) Look for a job
(2) Register for unemployment checks
(3) Register for relief

| DATE REGISTERED | NAME OF GOVERNMENT AGENCY | CITY AND STATE |
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11. LIST YOUR EXPENSES DURING BACK P[illegible]ERIOD (You may be entitled to expenses [illegible]ed in seeking work and working where which you would not have had you not been discriminated against. List below such expenses for trans board, and laundry when away from home; moving family and personal property; employment agency fees; and other expenses while looking for work and working elsewhere. Give as much detail as possible, including fares paid travel, mileage costs, etc.)

| KIND OF EXPENSE | PERIOD COVERED | | PLACE EXPENSE WAS INCURRED | AMOUNT EXPEN |
|---|---|---|---|---|
| | FROM | TO | | |
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12. DECLARATION

KNOWING THAT ANYONE WHO WILFULLY MAKES A FALSE STATEMENT OR REPRESENTATION IN ANY MATTER WITHIN THE JURISDICTION OF A AGENCY OF THE UNITED STATES IS COMMITTING A CRIME PUNISHABLE UNDER FEDERAL LAW, I CERTIFY THAT THE ABOVE STATEMENTS A TRUE.

Date

Signature of claimant

DO NOT WRITE BELOW THIS LINE



GPO 83-

R # 133

I, Beatrice Anderson, being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true to the best of my knowledge and belief.

/s/ Beatrice Anderson

Subscribed and sworn to before me this 20th day of January 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-133
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

R # 134

I, Geneva Gabriel being duly sworn upon my oath depose and say:

* * * *

/s/ Geneva Gabriel

Subscribed and sworn to before me this 17th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-134
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

R # 134

I, Geneva Gabriel being duly sworn upon my oath depose and say:

* * * *

/s/ Geneva Gabriel

Subscribed and sworn to before me this 17th day of February 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

R # 137

I, Elvera L. Davis being duly sworn upon my oath depose and say:

* * * *

I certify that I have read the above statement with care and that it is true to the best of my knowledge and belief.

/s/ Elvera Louise Davis

Subscribed and sworn to before me this 4th day of April 1960 in New Orleans, La.

/s/ John H. Immel, Jr.

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-137
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 139

Received NLRB, 15th Reg., New Orleans, La.
Feb. 6, 8:31 A.M. '61

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

February 3, 1961

Amelia Lesere
2749 St. Peter St.
New Orleans, Louisiana

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the Federal Government, is presently trying to determine if the J. H. Rutter-Rex Mfg. Co. Inc. has complied with an Order of the National Labor Relations Board and a Decree of the U. S. Circuit Court of Appeals. These decisions provide, among other things, that under certain conditions a person may be entitled to job reinstatement and/or back pay. In order to determine whether the Company has complied, we must have your cooperation.

As you no doubt know, there was a strike at the Company starting on or about April 21, 1954, and ending on or about March 31, 1955.

The information we have indicates that you were employed by the Company before the strike began and that you have not applied for work at the Company or otherwise attempted to go back to work for the Company since the strike began.

If the above information is correct, will you please sign your name and place your address and phone number in the spaces provided below and return this letter to us.

If the above information is not correct, and if you liv in the New Orleans, Louisiana, area, please contact Gil bert P. Cohen, Attorney at 529-2411, Extension 6417, o Loren P. Jones, Acting Compliance Officer, at 529-2411 Extension 6391, between the hours of 8:15 A.M. and 4:4 P.M., Monday through Friday, so that we may arrange t get the correct information.

If the above information is not correct, and if you do not live in the New Orleans, Louisiana, area, please write the correct information on the back of this letter, along with your name, present address, and phone number, and return this letter to us.

A self-addressed envelope, which requires no postage, is enclosed for your use.

Your cooperation will be sincerely appreciated.

Yours very truly,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

The above information is correct.

(Signed) Amelia Lesere
Address 2749 St. Peter St.
Phone No. Su 2-4213

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-139
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 144

Received NLRB, 15th Reg., New Orleans, La.
Feb. 20, 8:24 A.M. '61 mb

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

January 10, 1961

Marion Williams
4819 N. Rocheblave Street
New Orleans, Louisiana

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the Federal Government, is presently trying to determine if the J. H. Rutter-Rex Mfg. Co. Inc. has complied with an Order of the National Labor Relations Board and a Decree of the U.S. Circuit Court of Appeals. These decisions provide, among other things, that under certain conditions a person may be entitled to job reinstatement and/or back pay. In order to determine whether the Company has complied, we must have your cooperation.

As you no doubt know, there was a strike at the Company starting on or about April 21, 1954 and ending on or about March 31, 1955.

The information we have indicates that you were employed by the Company prior to the strike and returned to work for the Company after the strike ended. If the above information is correct, please answer the following questions in the spaces provided after each question:

(1) After the strike ended, were you rehired by the Company within five days after the day you applied to return to work?

Yes
(Yes or No)

(2) Date you first applied to return to work.

Jan. 24, 1955
(Date)

(3) After the strike ended were you rehired by the Company in the same job you held prior to the strike?

Yes
(Yes or No)

(4) Were you rehired at a lower rate of pay than the amount you had been paid before the strike began?

Yes
(Yes or No)

After you have completed answering the above questions, please sign your name and place your address and phone number in the spaces provided below and return this letter to us. A self-addressed envelope, which requires no postage, is enclosed for your use.

If you need assistance in answering the questions, or if the above information is not correct, please contact Gilbert P. Cohen, Attorney, at 529-2411, Ext. 6417, or Loren P. Jones, Acting Compliance Officer, at 529-2411, Extension 6319, between the hours of 8:15 a. m. and 4:45 p. m., Monday through Friday.

Your cooperation will be sincerely appreciated.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

The above information is correct.
(Signed) Marion Williams
(Address) 4819 N. Rocheblave Street
(Phone No.) WH 4-4580

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-144
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 6-13-62, Reporter, /s/ Lyons

RESPONDENT # 172

STATE OF LOUISIANA
PARISH OF ORLEANS

*Affidavit*

I, Ethel E. Griffin, 4223 N. [Goman (E. E. G.)] Roman, WH. 39378, New Orleans, La, being duly sworn under oath depose and say:

* * * *

I have had read to me the above consisting of this page and 4 other pages and swear it is true to the best of my knowledge and belief.

/s/ Ethel Griffin

Sworn to and subscribed before me this 7th day of Feb 1961 at New Orleans, La.

/s/ Gilbert P. Cohen,
Atty NLRB

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-172
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 173

Rejected

Received NLRB, 15th Reg., New Orleans, La.
Jan. 20, 8:34 A.M. '61

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

January 6, 1961

Ethel Abernathy
2226½ Clouet Street
New Orleans, Louisiana

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the Federal Government, is presently trying to determine if the J. H. Rutter-Rex Mfg. Co. Inc. has complied with an Order of the National Labor Relations Board and a Decree of the U.S. Circuit Court of Appeals. These decisions provide, among other things, that under certain conditions a person may be entitled to job reinstatement and/or back pay. In order to determine whether the Company has complied, we must have your cooperation.

As you no doubt know, there was a strike at the Company starting on or about April 21, 1954 and ending on or about March 31, 1955.

The information we have indicates that you were employed by the Company prior to the strike and returned to work for the Company after the strike ended. If the above information is correct, please answer the following questions in the spaces provided after each question:

(1) After the strike ended, were you rehired by the Company within five days after the day you applied to return to work?

Just about
(Yes or No)

(2) Date you first applied to return to work.

.....
(Date)

(3) After the strike ended were you rehired by the Company in the same job you held prior to the strike?

No
(Yes or No)

(4) Were you rehired at a lower rate of pay than the amount you had been paid before the strike began?

I didn't make the same per piece. However I received the same guarantee $1.00 per hr.
(Yes or No)

After you have completed answering the above questions, please sign your name and place your address and phone number in the spaces provided below and return this letter to us. A self-addressed envelope, which requires no postage, is enclosed for your use.

If you need assistance in answering the questions, or if the above information is not correct, please contact Gilbert P. Cohen, Attorney, at 529-2411, Ext. 6417, or Loren P. Jones, Acting Compliance Officer, at 529-2411, Extension 6319, between the hours of 8:15 a. m. and 4:45 p. m., Monday through Friday.

Your cooperation will be sincerely appreciated.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

The above information is correct.
(Signed) Ethel Abernathy
(Address) 4223 No. Roman St.
(Phone No.) WH 3-9378

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-173
Disposition—Identified, Rejected
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 195

Received NLRB, 15th Reg., New Orleans, La.
June 3, 8:26 A.M. '60 mb

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana
May 31, 1960

Telephone EXpress 2411
Night TUlane 8320

*J. H. Rutter-Rex Manufacturing Company, Inc.*

Cases Nos. 15-CA-721, 15-CA-723

Miss Audrey Zeno
1916 Constantinople Street
New Orleans 15, Louisiana

Dear Miss Zeno:

This office is currently making a routine check to determine whether the Company named above has complied with the Order of the Board in the above-named case. In a telephone conversation with your mother on May 27, it was our understanding that because you found other employment or for some other reason, you did not ask to have your job back at Rutter-Rex Company after the strike had ended there in 1955. If this is true, will you please sign your name after the statement below and return the letter to us in the enclosed envelope, which requires no postage.

Very truly yours,

/s/ John H. Immel, Jr.
JOHN H. IMMEL, JR.
Compliance Examiner

Enclosure

The understanding set out above is correct.

/s/ Audrey Zeno
AUDREY ZENO

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-195
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

RESPONDENT # 201

Received NLRB, 15th Reg., New Orleans, La.
Jan. 16, 8:37 A.M. '61

NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

January 5, 1961

Evangeline C. Brown
1129 Wagner Street
New Orleans, Louisiana

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

This Agency, which is an agency of the Federal Government, is presently trying to determine if the J. H. Rutter-Rex Mfg. Co. Inc. has complied with an Order of the National Labor Relations Board and a Decree of the U.S. Circuit Court of Appeals. These decisions provide, among other things, that under certain conditions a person may be entitled to job reinstatement and/or back pay. In order to determine whether the Company has complied, we must have your cooperation.

As you no doubt know, there was a strike at the Company starting on or about April 21, 1954 and ending on or about March 31, 1955.

The information we have indicates that you were employed by the Company prior to the strike and returned to work for the Company after the strike ended. If the above information is correct, please answer the following questions in the spaces provided after each question:

(1) After the strike ended, were you rehired by the Company within five days after the day you applied to return to work?

Yes
(Yes or No)

(2) Date you first applied to return to work.

About March, 1956

(3) After the strike ended were you rehired by the Company in the same job you held prior to the strike?

Yes
(Yes or No)

(4) Were you rehired at a lower rate of pay than the amount you had been paid before the strike began?

No
(Yes or No)

After you have completed answering the above questions, please sign your name and place your address and phone number in the spaces provided below and return this letter to us. A self-addressed envelope, which requires no postage, is enclosed for your use.

If you need assistance in answering the questions, or if the above information is not correct, please contact Gilbert P. Cohen, Attorney, at 529-2411, Ext. 6417, or Loren P. Jones, Acting Compliance Officer, at 529-2411, Extension 6319, between the hours of 8:15 a. m. and 4:45 p. m., Monday through Friday.

Your cooperation will be sincerely appreciated.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

The above information is correct.
(Signed) Evangeline C. Brown
(Address) 1301 Lawrence St.
(Phone No.) FU. 6-4045

NATIONAL LABOR RELATIONS BOARD
Docket No. 15-CA-721-723, Official Exhibit No. R-201
Disposition—Identified, Received
In the matter of RUTTER-REX
Date, 11-13-62, Reporter, /s/ Lyons

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16422

NATIONAL LABOR RELATIONS BOARD

*v.*

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

MOTION OF J. H. RUTTER-REX MANUFACTURING COMPANY, INC. FOR AN ORDER DIRECTING THE REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD TO REFRAIN FROM PROCEEDING WITH A BACKPAY HEARING SCHEDULED FOR JANUARY 29, 1962

(Filed: January 3, 1962)

TO SAID HONORABLE COURT:

1.

Now comes J. H. RUTTER-REX MANUFACTURING COMPANY, INC., respondent in the above-entitled and numbered cause, and the movant in this proceeding, and moves the Court to enter an order directed to John L. LeBus, Regional Director, Fifteenth Region, NATIONAL LABOR RELATIONS BOARD, ordering the said John F. LeBus to stay a hearing now scheduled for January 29, 1962, and under oath, for grounds with respect does show.

2.

This Honorable Court has jurisdiction of this Motion under its opinion and judgment heretofore rendered and entered in this cause on June 10, 1957, enforcing an Order heretofore entered of the National Labor Relations Board. This Court's opinion is reported as *National Labor Relations Board* v. *J. H. Rutter-Rex Manufacturing Company, Inc.*, 245 F.2d 594. In said opinion the Court said in part: (page 598)

"The numerous questions which the Employer insists now plaque it, such as the possibility of non-strikers voluntarily terminating employment with subsequent replacement during the strike, the availability of work at various times considering the nature of these manufacturing operations, the number of strikers who may have declared their unwillingness to return to work, the calculation of the lost pay if any, the misconduct of some specified strikers which might afford a basis for denying reinstatement, are not foreclosed. Their resolution can come in further administrative proceedings before and through the Board or in direct contempt proceedings, if brought before us, for failure to comply with our order decreeing enforcement."

3.

Following the rendition of the opinion of this Honorable Court, movant notified the National Labor Relations Board that it would comply with the opinion of this Court, and the Order of the National Labor Relations Board which said opinion enforced, and forthwith began good faith and diligent efforts to that end. The "numerous questions" which the Court foresaw, and which it did not foreclose, immediately arose and movant made every reasonable effort to resolve them in compliance with the letter and spirit of the opinion of the Court. The facts are:

The strike which was considered by this Court in its opinion ended on April 4, 1955, by a letter of termination, a copy of which is attached and marked Exhibit A. Attached to the union's letter was a list of the employees who, according to the union letter, desired to return to work. Movant replied to the union letter by suggesting that such employees who were interested in returning to work come to movant's employment office at the rate of 20 per day to apply for reinstatement. Thereafter the union complied with movant's suggestion, and movant began reinstating the strikers who applied for reinstatement as rapidly as the available volume of work and the balanced operation of its plant permitted.

4.

As used in this Motion—

"Movant" means J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

"Board" means the NATIONAL LABOR RELATIONS BOARD.

"Act" refers to the NATIONAL LABOR RELATIONS ACT, as amended.

"Union" refers to the AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO, an unincorporated labor organization.

5.

On June 29, 1955, the union filed a charge against movant in Case No. 15-CA-843 of the docket of the Board for the Fifteenth Region, containing the following allegation:

> "On or about April 5, 1955, the Employer, by its officers, agents and representatives, has discriminatorily refused to reinstate or reemploy striking employees, whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America, AFL-CIO, or because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees."

This charge was amended on August 2, 1955, and amended again on January 12, 1956. The original charge and the amendments were accompanied by a list of the names of the striking employees allegedly discriminated against, all as reflected on attached Exhibits B, C and D.

6.

On February 13, 1956, almost a full year after the rehiring process had begun, the Board issued an Order directing movant to reinstate the striking employees, which Order reads in part as follows:

"(b) Upon application, offer immediate and full reinstatement to their former or substantial equivalent positions to all those employees who went on strike on April 21, 1954, or thereafter, without prejudice to their seniority or other rights and privileges, dismissing if necessary all persons hired on or after that date, and make such applicants whole for any loss of pay suffered by reason of the Respondent's refusal, if any to reinstate them, in the manner set forth in the section of the Intermediate Report entitled 'The Remedy';"

7.

On October 13, 1957, after the passage of 2½ years, during which the rehiring process went on, the Board approved the union's withdrawal of the charges filed by the union on June 29, 1955, August 2, 1955, and January 12, 1956, in which movant had been charged with having discriminatorily refused to reemploy the striking employees. The Board's letter approving the withdrawal of said charges is attached hereto and marked Exhibit E.

8.

On September 11, 1957, movant's representative responded to the Board's request for information concerning the rehiring of returning strikers in the form of the letter attached hereto and marked Exhibit F.

9.

By letter dated October 24, 1957, in further response to the Board's request for information regarding the progress made in rehiring the strikers, movant's representative mailed to the Board a list of employees on the payroll of movant at the time the strike was called who applied for work after the strike terminated. The list submitted by movant also reflected the date that each employee submitted an application for work and the date each was returned to work. The letter written by movant's representative is attached hereto and marked Exhibit G. The list of employees to which the letter refers is attached and marked Exhibit G.[1]

10.

On October 31, 1957, again responding to the Board's request, movant, through its representative, submitted a copy of its payroll for April 17, 1954, reflecting the rate per hour and the earnings of the employees for the payroll period. This letter is attached hereto and marked Exhibit H.

11.

On November 7, 1957, after movant had furnished to the Board all of the information which the Board had requested concerning the names of the employees on the strike payroll, the names of the strikers who had applied for reinstatement, the dates on which certain applicants had been rehired, and the earnings of said employees, movant's representative addressed to the Board a letter in the form attached hereto and marked Exhibit I. This letter contained the following request to the Board:

> "If any instance of a failure to fully comply with the order is brought to your attention, we would appreciate your contacting us promptly so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree."

This letter was written so that movant, which has at all times and in good faith attempted to comply with the Board's Order as enforced by this Court, might have the cooperation of the Board in promptly acting upon any contention that Movant had not complied with its obligation to offer employment to any strikers seriously seeking reemployment for whom a job was available. Movant's purpose was, of course, to avoid incurring a backpay obligation in any instance in which movant might consider that its inability or unwillingness to rehire or delay in rehiring a particular striker or strikers was justified under the language of the Court quoted in Article 2 hereof. If the Board did not agree, movant wanted to be informed of that disagreement so that appropriate remedial action might be taken promptly.

12.

During the period following the termination of the strike on April 4, 1955, movant in good faith attempted to rehire all returning strikers who submitted applications for reemployment. However, as had been anticipated by the Court of Appeals, certain practical problems had to be considered. When the strike was called on April 21, 1954, movant was operating its New Orleans plant at absolute capacity with an unprecedented number of employees at work. The payroll of April 21, 1954, lists 604 employees, which was the highest number ever employed in the plant before or since the strike. As a result of the strike a substantial segment of movant's business was lost. Several major customers who before the strike were substantial sources of business, have, at all times since the strike, refused to do business with movant. The United States Government cancelled certain contracts which were in process when the strike began. On information and belief, movant alleges that the union itself made an effort to curtail movant's sources of business, and thus contributed to the problem of finding work for the returning strikers. The volume of work in the plant has never reached the pre-strike level at any time since the termination of the strike. The principal problem confronting movant at the termination of the strike, insofar as the reinstatement of returning strikers was concerned, was the fact that the same volume of work was no longer available, and it was impossible to offer reemployment immediately to all returning strikers for there was no work for them to do. Movant's problem was further complicated by the nature of its line operation, which requires a balanced number of operators of different skills on various types of operations in order to complete and put into operation an effective line. It was impossible to commence the operation of a new line until all of the various operators were at hand. The attempt to rebuild the lines one by one was complicated by the fact that it was not always possible to obtain needed operators for the completion of a line. In some instances returning strikers applied for reinstatement and then, upon being asked to come to work, were not willing to return to work. In that portion of the opinion of this

Court quoted in Article 2, the Court recognized the existence and the validity of these difficulties, as well as movant's right to refuse reinstatement to those employees who had engaged in misconduct during the strike.

13.

Following the Board's approval of the withdrawal of the charges of discrimination against the returning strikers, and following the Board's receipt of Exhibit I in which movant's representative asked the Board to bring any instance of a failure to fully comply with its Order to the attention of movant immediately, movant, hearing nothing from the Board for well over two years, concluded that the Board agreed that movant had complied in good faith with the requirements of the Board's Order as enforced by this Court.

14.

From November 7, 1957—on which date movant requested the Board to bring any instance of non-compliance to movant's attention so that corrective measures could be taken immediately, thus avoiding or minimizing backpay liability—nothing whatsoever was heard from the Board in connection with the enforcement of the Order until March 22, 1960, on which date the Board addressed to movant a letter in the form reflected in Exhibit J. In Exhibit J the Board admits that it is in the position of having delayed action in these cases "over a period of several years".

On November 16, 1961,—4 years and 5 months after the date of the Opinion of this Court,—without any prior presentation of its claim to movant, the Board filed a Backpay Specification, at the same time setting a hearing in said Specification for January 29, 1962, and claiming in said Specification that liability has accrued and continues to accrue in favor of some 207 employees and that as of the date of filing said Specification amounts to $342,744.07.

15.

Movant has at all times during the pendency of these proceedings cooperated with the Board in complying with

any and all requests for information and in making available to the Board for study and examination such records as the Board requested.

16.

Movant has already been put to substantial expense in working with the Board to make available to the Board, in response to repeated requests, various records pertaining to what transpired during the strike which began almost 8 years ago. Movant estimates that, up to the date of the service of the Backpay Specification, approximately 750 hours have been devoted by its attorneys and officers and employees to the gathering and preparation of information and miscellaneous records in compliance with the Board's successive requests.

17.

Movant avers that the development of the information required to reply, in the full detail required by Sec. 102.54 of the Rules and Regulations of the Board, to the Specification would require many months in time and the expenditure of thousands of dollars. The Board itself delayed almost 4½ years in preparing the Specification, with all of the manpower and resources of the government at its disposal. Passage of time has made it impossible, in many instances, to obtain the evidence necessary to a proper defense of movant's position. Some pertinent records no longer exist. Persons who were employed at movant's plant and who would have knowledge relative to the issues raised by the Specification are no longer employed and may not be available as witnesses. The problem of locating witnesses, interviewing witnesses and checking the correctness of the matters referred to in the Specification, and in otherwise preparing for the trial of the issues raised by the Specification, would subject movant to unwarranted and unreasonable expense which cannot be calculated accurately in advance.

18.

Unless stayed by this Court, the Board will commence hearings under the Backpay Specification on January 29, 1962.

19.

The Board has unreasonably delayed its determination of the issues in Cases Nos. 15-CA-721 and 15-CA-723, which cases were the subject of this Court's Opinion herein referred to, and has failed to proceed with reasonable dispatch to conclude such cases, all in violation of the affirmative obligation to do so imposed upon the Board by the Administrative Procedure Act, 5 USC Sec. 1005(a). The provision of said Act reads in part as follows:

> "Every agency shall proceed with reasonable dispatch to conclude any matter presented to it except that due regard shall be had for the convenience and necessity of the parties or their representatives."

As it apparent from the factual allegations of this Motion, the Board has delayed for a period in excess of 4½ years in initiating the backpay proceeding after the date on which movant advised the Board which of its employees had reapplied, which had been rehired, and the dates of the applications and rehiring. Because of the unreasonable, illegal and prejudicial delays of the Board, contrary to the affirmative obligation placed upon it by the Administrative Procedure Act, the Board's notice of November 16, 1961, setting a hearing on the Backpay Specification for January 29, 1962, constitutes an abuse of the powers granted to the Board under the Act and is void and of no effect.

The Board's delay of more than 4½ years has served to deny to movant a fair opportunity to prepare and present its defenses to the Backpay Specification, and has deprived movant of due process of law. The Board's concurrence in the withdrawal of the charges alleging discrimination against the strikers and the Board's failure to respond to movant's request, in its letter of November 7, 1957, for the Board's cooperation in bringing any instance of noncompliance to movant's attention have induced reliance upon the belief that the Board considered the matter of compliance satisfactorily concluded, making it difficult, if not impossible, at this late date, for movant to obtain the evidence needed to refute the contentions made by the Board in the Backpay Specification, all in violation of movant's constitutional and statutory rights.

20.

Unless the relief sought herein is granted by this Court, movant will be irreparably damaged in that:

If the Board, pursuant to its Order of November 16, 1961, is permitted to conduct a hearing into the facts and circumstances relating to the application and reemployment of each employee named in the Specification, movant's defense in the case of each individual named, and the evidence of interim earnings in each instance, movant will be required to incur vast expense in connection with the investigation and proof of facts, which proof is rendered difficult and perhaps impossible because of the passage of time. If the Board had proceeded with reasonable promptness as it is required by law to do, the issues would have been immeasurably simpler, the period of time to be covered reduced by at least 75%, and the time required for the hearing of the issues rendered at least by the same propertion. If Movant is forced into a hearing into the details of each of the cases referred to in the Specification, it is anticipated that the hearing may last between six months and one year, with vast additional expense and additional demands on the time of its officers and personnel.

Movant further would show that under the Rules and Regulations of the National Labor Relations Board, Sec. 102.54, movant is required to answer under oath, in detail, each fact and figure alleged by the Backpay Specification, numbering 428 pages, to supply detailed figures, under penalty of having such allegations deemed true by default. Movant's answer must be filed on or before January 4, 1962, by which date it is impossible to prepare the detailed answers required by the Rules of the Board. The unconscionable delay in serving the Specification and conducting the hearing renders the preparation of such detailed answer unduly onerous and virtually impossible, regardless of the time allowed for the preparation thereof. Movant would further show that the hearing contemplated by the Board, which movant seeks to stay, is governed by the Rules and Regulations of the Board applicable to unfair labor practice proceedings and other matters. If per-

mitted by this Court, it will impose the burden on movant of attacking each factual finding of the Board with regard to the backpay due to each individual named in the specification as not being supported by substantial evidence in the record as a whole, under the language of Sec. 10 (e) of the National Labor Relations Act, as amended. The imposition of this burden upon movant is illegal and contrary to movant's rights under the order of this Court and the Administrative Procedure Act. While this Court and the Administrative Procedure Act alike would have contemplated that the Board would conduct an administrative proceeding "with reasonable dispatch" and to use that proceeding as a basis for seeking sanctions against movant, if the facts warranted such sanctions, that right has been abandoned, negatived, and is not now a lawful or appropriate means available to the Board.

On the contrary, should the National Labor Relations Board or the Regional Director for the Fifteenth Region have cause to believe that movant is in contempt of the Order of the Board as enforced by this Court, the Regional Director and the Board should be restricted to the initiation of contempt proceedings against movant, which proceeding is one of the methods contemplated in this Court's opinion as the means of resolving the problems and difficulties urged by movant in its argument against literal compliance with the verbiage of the Board's Order.

Movant would show that in such contempt proceeding, if the Board sees fit to initiate the same, this Honorable Court has the power to find the facts, through an officer of its appointment, unhampered and unrestricted by the limitation of Sec. 10 (e) of the National Labor Relations Act which requires this Court to accept the Board's findings of fact if supported by substantial evidence on the record as a whole.

Furthermore, if the Board is permitted to proceed with the scheduled hearing, movant will be faced with possible liability for backpay accruing during the period of the Board's delay of approximately 4½ years, a delay resulting from the Board's failure to accord movant the protection and cooperation of a prompt consideration of its compliance obligations as the Board is obligated to do by the Administrative Procedure Act.

21.

Movant avers that the Rules and Regulations of the Board, and more particularly Sec. 102.52 of said Rules, require the Board to act with reasonable promptness, and with full consideration of the rights of all concerned in any instance in which the Regional Director considers that a controversy exists in any matter involving backpay. Movant further avers that because of the Board's failure to act with reasonable dispatch, and with consideration for the convenience and necessity of the parties involved, and because of the Board's illegal, unwarranted, and highly prejudicial delays, the Board should be stayed from proceeding with the administrative hearing before a Trial Examiner appointed by the Board which has been scheduled for January 29, 1962, and that in lieu of said proceeding, that this Court should appoint a Master or Commissioner to investigate and determine all questions of facts relating to compliance with this Court's Order in order to determine if movant has in good faith complied with the obligations placed upon it by said Order.

On the basis of the foregoing, movant PRAYS that this Court declare:

1. That the Order of the National Labor Relations Board dated November 16, 1961, fixing a hearing in Cases Nos. 15-CA-721 and 15-CA-723 on the issues presented by the Backpay Specification filed in said cases, is an invalid and unauthorized abuse of the powers of the Board, and as such unauthorized by law.

2. That this Court stay the Regional Director, Fifteenth Region, NATIONAL LABOR RELATIONS BOARD and any successor in that office, and any member, officer or agent of the NATIONAL LABOR RELATIONS BOARD, from arranging for or holding or taking any steps in connection with the hearing scheduled before a Trial Examiner of the NATIONAL LABOR RELATIONS BOARD on January 29, 1962, in Cases Nos. 17-CA-721 and 15-CA-723.

3. That this Court appoint a Master or Commissioner to to investigage and develop such facts as may be pertinent to a determination of whether movant has complied in good faith with the obligations placed upon it by the Order of this Court.

4. That pending a hearing on this Motion, an Order issue extending the time within which movant must respond to the Backpay Specification filed by the Regional Director for the Fifteenth Region of the NATIONAL LABOR RELATIONS BOARD in Cases Nos. 15-CA-721 and 15-CA-723.

5. For such other and further relief as the Court may see fit to grant.

MONTGOMERY BARNETT BROWN & READ

By s/ HENRY J. READ
HENRY J. READ
806 NBC Building
New Orleans 12, La.
JA 2-6581

BROWN HERMAN SCOTT & YOUNG

By s/ JOHN M. SCOTT
JOHN M. SCOTT
203 Fort Worth Club Building
Fort Worth 2, Texas
Attorneys for Movant,
J. H. RUTTER-REX MANUFACTURING CO., INC.

AFFIDAVIT

EUGENE J. RUTTER, being duly sworn, deposes and says that he is the President of J. H. RUTTER-REX MANUFACTURING COMPANY, INC.; that he has read the foregoing motion and knows the contents thereof and that the same is true of his own knowledge.

s/ EUGENE J. RUTTER
EUGENE J. RUTTER

SWORN TO AND SUBSCRIBED
on December 31, 1961.

s/ Donald M. Boyle
Notary Public
Orleans Parish, Louisiana
My commission is for life.

## CERTIFICATION

I CERTIFY that the above and foregoing Motion is filed in good faith and not for purposes of delay and solely that justice may be done.

December 30, 1961.

s/ HENRY J. READ
(Signed) HENRY J. READ

## ORDER

Let JOHN L. LeBUS, Regional Director, Fifteenth Region, NATIONAL LABOR RELATIONS BOARD, be and he is hereby ordered to show cause on the ..... day of ....., 1962, at ..... m. why the relief sought by movant in the above and foregoing Motion should not be granted.

Let the time within which movant is required to answer the Backpay Specification filed in Cases Nos. 15-CA-721 and 15-CA-723 be extended pending the further orders of this Court.

January ....., 1962. Houston, Texas.

JUDGE for the
United States Court of Appeals
Fifth Circuit

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

# CHARGE AGAINST EMPLOYER

Exhibit B

Where a charge is filed by a labor organization, or an individual or group acting on its behalf, a complaint based upon such charge will not be issued unless the charging party and any national or international labor organization of which it is an affiliate or constituent unit have complied with section 9 (f), (g), and (h) of the National Labor Relations Act.

DO NOT WRITE IN THIS SPACE

Case No. 15-CA-643

Date Filed June 29, 1955

Compliance Status Checked By:

INSTRUCTIONS: File an original and 4 copies of this charge with the NLRB regional director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

Name of Employer: J. H. Rutter-Rex Manufacturing Co.

Number of Workers Employed: Approx. 500

Address of Establishment (Street and number, city, zone, and State): 3725 Dauphine Street, New Orleans 17, La.

Type of Establishment (Factory, mine, wholesaler, etc.): Factory

Identify principal product or service: Work Shirts and work pants

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8 (a), subsections (1) and (3) (List subsections) of the National Labor Relations Act, and these unfair labor practices are unfair labor practices affecting commerce within the meaning of the act.

2. Basis of the Charge (Be specific as to facts, names, addresses, plants involved, dates, places, etc.)

On or about April 5, 1955, the Employer, by its officers, agents, and representatives, has discriminatorily refused to reinstate or reemploy striking employees, whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America, CIO, or because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees.

By the acts set forth in the paragraph above, and by other acts and conduct, the Employer, by its officers, agents, and representatives, interfered with, restrained, and coerced, and is interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the said Act.

RECEIVED JUN 29 1955

3. Full Name of Labor Organization, Including Local Name and Number, or Person Filing Charge

Amalgamated Clothing Workers of America, CIO

4. Address (Street and number, city, zone, and State)

333 S. Ashland Blvd., Chicago 7, Illinois

Telephone No. Haymarket

5. Full Name of National or International Labor Organization of Which It Is an Affiliate or Constituent Unit (To be filled in when charge is filed by a labor organization)

Amalgamated Clothing Workers of America, CIO

6. Address of National or International, If any (Street and number, city, zone, and State)

15 Union Square, New York 3, New York

Telephone No. Algonquin 5-7800

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party and any national or international labor organization of which it is an affiliate or constituent unit have complied with section 9 (f), (g), and (h) of the National Labor Relations Act.

Date Filed: June 29, 1955

INSTRUCTIONS: File an original and 4 copies of this charge with the NLRB regional director for the region in which the alleged unfair labor practice occurred or is occurring.

Compliance Status Checked By:

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

| Name of Employer | Number of Workers Employed |
|---|---|
| J. H. Rutter-Rex Manufacturing Co. | Approx. 500 |

| Address of Establishment (Street and number, city, zone, and State) | Type of Establishment (Factory, mine, wholesaler, etc.) |
|---|---|
| 3725 Dauphine Street<br>New Orleans 17, La. | Factory<br>Identify principal product or service<br>Work Shirts and work pants |

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8 (a), subsections (1) and (3) (List subsections) of the National Labor Relations Act, and these unfair labor practices are unfair labor practices affecting commerce within the meaning of the act.

2. Basis of the Charge (Be specific as to facts, names, addresses, plants involved, dates, places, etc.)

On or about April 5, 1955, the Employer, by its officers, agents, and representatives, has discriminatorily refused to reinstate or reemploy striking employees, whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America, CIO, or because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees.

By the acts set forth in the paragraph above, and by other acts and conduct, the Employer, by its officers, agents, and representatives, interfered with, restrained, and coerced, and is interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the said Act.

RECEIVED JUN 29 1955 19

3. Full Name of Labor Organization, Including Local Name and Number, or Person Filing Charge

Amalgamated Clothing Workers of America, CIO

4. Address (Street and number, city, zone, and State) | Telephone No.

333 S. Ashland Blvd., Chicago 7, Illinois | Haymarket

5. Full Name of National or International Labor Organization of Which It Is an Affiliate or Constituent Unit (To be filled in when charge is filed by a labor organization)

Amalgamated Clothing Workers of America, CIO

6. Address of National or International, if any (Street and number, city, zone, and State) | Telephone No.

15 Union Square, New York 3, New York | Algonquin 5-7800

## 7. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By Philip Rampert
(Signature of representative or person filing charge)

Philip Rampert

June 22, 1955 (Date) | National Counsel (Title, if any)

WILLFULLY FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U. S. CODE, TITLE 18, SECTION 80)

U.S. GOVERNMENT PRINTING OFFICE 16-27952-1

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

Exhibit C

# FIRST AMENDED CHARGE AGAINST EMPLOYER

Where a charge is filed by a labor organization, or an individual or group acting on its behalf, a complaint based upon such charge will not be issued unless the charging party and any national or international labor organization of which it is an affiliate or constituent unit have complied with section 9 (f), (g), and (h) of the National Labor Relations Act.

INSTRUCTIONS.—File an original and 4 copies of this charge with the NLRB regional director for the region in which the alleged unfair labor practice occurred or is occurring.

DO NOT WRITE IN THIS SPACE

Case No. 15-CA-643

Date Filed August 2, 1955

Compliance Status Checked By: JFL

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

| Name of Employer | Number of Workers Employed |
|---|---|
| J. H. RUTTER-REX MANUFACTURING COMPANY, INC. | Approx. 500 |

| Address of Establishment (Street and number, city, zone, and State) | Type of Establishment (Factory, mine, wholesaler, etc.) |
|---|---|
| 3725 Dauphine Street<br>New Orleans 17, Louisiana | Factory<br>Identify principal product or service<br>Work shirts and work pants |

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8 (a), subsections (1) and (3) (list subsections) of the National Labor Relations Act, and these unfair labor practices are unfair labor practices affecting commerce within the meaning of the act.

2. Basis of the Charge (Be specific as to facts, names, addresses, plants involved, dates, places, etc.)

On or about April 5, 1955, the Employer, by its officers, agents and representatives, discriminatorily refused to reinstate or reemploy striking employees whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America, CIO, or because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees.

By the acts set forth in the paragraph above, and by other acts and conduct, the Employer, by its officers, agents and representatives, interfered with, restrained and coerced, and is interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the said Act.

RECEIVED
AUG 2 1955
National Labor Relations Board
14th Regional Office
New Orleans 14, La.

cc: NOPAS & Emp. 8/2/55 JFL

3. Full Name of Labor Organization, including Local Name and Number, or Person Filing Charge

AMALGAMATED CLOTHING WORKERS OF AMERICA, CIO

4. Address (Street and number, city, zone, and State) — Telephone No.

333 S. Ashland Blvd., Chicago 7, Illinois — Haymarket 1-4100

5. Full Name of National or International Labor Organization of Which It Is an Affiliate or Constituent Unit (To be filled in when charge is filed by a labor organization)

Amalgamated Clothing Workers of America, CIO

6. Address of National or International, if any (Street and number, city, zone, and State) — Telephone No.

15 Union Square, New York 3, New York — Algonquin 5-7800

## 7. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By Philip Ramsey

OVERSIZE PAGE – SEE NEXT FRAME FOR REMAINDER OF PAGE

Labor Relations Act.

Date Filed: August 2, 1955

INSTRUCTIONS.—File an original and 4 copies of this charge with the NLRB regional director for the region in which the alleged unfair labor practice occurred or is occurring.

Compliance Status Checked By: [illegible]

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

| Name of Employer | Number of Workers Employed |
|---|---|
| J. H. RUTTER-REX MANUFACTURING COMPANY, INC. | Approx. 500 |

| Address of Establishment (Street and number, city, zone, and State) | Type of Establishment (Factory, mine, wholesaler, etc.) |
|---|---|
| 3725 Dauphine Street<br>New Orleans 17, Louisiana | Factory<br>Identify principal product or service<br>Work shirts and work pants |

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8 (a), subsections (1) and (3) (List subsections) of the National Labor Relations Act, and these unfair labor practices are unfair labor practices affecting commerce within the meaning of the act.

2. Basis of the Charge (Be specific as to facts, names, addresses, plants involved, dates, places, etc.)

On or about April 5, 1955, the Employer, by its officers, agents and representatives, discriminatorily refused to reinstate or reemploy striking employees whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America, CIO, or because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees.

By the acts set forth in the paragraph above, and by other acts and conduct, the Employer, by its officers, agents and representatives, interfered with, restrained and coerced, and is interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the said Act.

RECEIVED
AUG 2 1955
National Labor Relations Board
16th Regional Office
New Orleans 16, La.

cc: NLRB & Emp. 8/2/55 JMC

3. Full Name of Labor Organization, Including Local Name and Number, or Person Filing Charge

AMALGAMATED CLOTHING WORKERS OF AMERICA, CIO

| 4. Address (Street and number, city, zone, and State) | Telephone No. |
|---|---|
| 333 S. Ashland Blvd., Chicago 7, Illinois | Haymarket 1-4100 |

5. Full Name of National or International Labor Organization of Which It Is an Affiliate or Constituent Unit (To be filled in when charge is filed by a labor organization)

Amalgamated Clothing Workers of America, CIO

| 6. Address of National or International, if any (Street and number, city, zone, and State) | Telephone No. |
|---|---|
| 15 Union Square, New York 3, New York | Algonquin 5-7800 |

## 7. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By Philip Lampert
(Signature of representative or person filing charge)

Philip Lampert

August 2, 1955 (Date) Regional Counsel (Title, if any)

WILLFULLY FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U. S. CODE, TITLE 18, SECTION 80)

U. S. GOVERNMENT PRINTING OFFICE 16—67929-1

826

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPENDIX D

(1093)

# SECOND AMENDED CHARGE AGAINST EMPLOYER

Where a charge is filed by a labor organization, or an individual or group acting on its behalf, a complaint based upon such charge will not be issued unless the charging party and any national or international labor organization of which it is an affiliate or constituent unit have complied with section 9 (f), (g), and (h) of the National Labor Relations Act.

INSTRUCTIONS.—File an original and 4 copies of this charge with the NLRB regional director for the region in which the alleged unfair labor practice occurred or is occurring.

DO NOT WRITE IN THIS SPACE

Case No. 15-CA-843

Date Filed January 12, 1956

Compliance Status Checked By: JH

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

NAME OF EMPLOYER: J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

NUMBER OF WORKERS EMPLOYED: Approx. 500

ADDRESS OF ESTABLISHMENT (Street and number, city, zone, and State): 3725 Dauphine Street, New Orleans 17, Louisiana

TYPE OF ESTABLISHMENT (Factory, mine, wholesaler, etc.): Factory

Identify principal product or service: Work Shirts and Work Pants

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8 (a), subsections (1) and (3) (List subsections) of the National Labor Relations Act, and these unfair labor practices are unfair labor practices affecting commerce within the meaning of the act.

2. Basis of the Charge (Be specific as to facts, names, addresses, plants involved, dates, places, etc.)

On or about April 5, 1955, the Employer, by its officers, agents and representatives, discriminatorily refused to reinstate or reemploy striking employees whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America, CIO, all because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees.

By the acts set forth in the paragraph above, and by other acts and conduct, the Employer, by its officers, agents and representatives, interfered with, restrained and coerced, and is interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the said Act.

RECEIVED JAN 12 1956 National Labor Relations Board 15th Regional Office New Orleans 12, La.

cc: NLRB + Emp 1/12/56 JP

3. Full Name of Labor Organization, Including Local Name and Number, or Person Filing Charge

AMALGAMATED CLOTHING WORKERS OF AMERICA, CIO

4. Address (Street and number, city, zone, and State): 333 S. Ashland Blvd., Chicago 7, Illinois — Telephone No. Haymarket 1-4100

5. Full Name of National or International Labor Organization of Which It Is an Affiliate or Constituent Unit (To be filled in when charge is filed by a labor organization)

Amalgamated Clothing Workers of America, CIO

6. Address of National or International, if any (Street and number, city, zone, and State): 15 Union Square, New York 3, New York — Telephone No. Algonquin 5-7800

## 7. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By [signature]

OVERSIZE PAGE - SEE NEXT FRAME FOR REMAINDER OF PAGE

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

| NAME OF EMPLOYER | NUMBER OF WORKERS EMPLOYED |
|---|---|
| J. H. RUTTER-REX MANUFACTURING COMPANY, INC. | Approx. 500 |

| ADDRESS OF ESTABLISHMENT (Street and number, city, zone, and State) | TYPE OF ESTABLISHMENT (Factory, mine, wholesaler, etc.) |
|---|---|
| 3725 Dauphine Street<br>New Orleans 17, Louisiana | Factory |
| | Identify principal product or service<br>Work Shirts and Work Pants |

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8 (a), subsections (1) and (3) (List subsections) of the National Labor Relations Act, and these unfair labor practices are unfair labor practices affecting commerce within the meaning of the act.

2. Basis of the Charge (Be specific as to facts, names, addresses, plants involved, dates, places, etc.)

On or about April 5, 1955, the Employer, by its officers, agents and representatives, discriminaterily refused to reinstate or reemploy striking employees whose names are attached hereto, in order to discourage membership in Amalgamated Clothing Workers of America, CIO, all because of their activity and/or membership in the said labor organization, and at all times since said date, the Employer has refused and does now refuse to reinstate or reemploy the said employees.

By the acts set forth in the paragraph above, and by other acts and conduct, the Employer, by its officers, agents and representatives, interfered with, restrained and coerced, and is interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the said Act.

RECEIVED
JAN 12 1956
National Labor Relations Board
10th Regional Office
New Orleans 13, La.

cc: NLRB + 2 cys 1/12/56 JP

3. Full Name of Labor Organization (Including Local Name and Number, or Person Filing Charge

AMALGAMATED CLOTHING WORKERS OF AMERICA, CIO

| 4. Address (Street and number, city, zone, and State) | Telephone No. |
|---|---|
| 333 S. Ashland Blvd., Chicago 7, Illinois | Haymarket 1-4100 |

5. Full Name of National or International Labor Organization of Which It Is an Affiliate or Constituent Unit (To be filled in when charge is filed by a labor organization)

Amalgamated Clothing Workers of America, CIO

| 6. Address of National or International, if any (Street and number, city, zone, and State) | Telephone No. |
|---|---|
| 15 Union Square, New York 3, New York | Algonquin 5-7800 |

## 7. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By Philip Lampert
(Signature of representative or person filing charge)

Philip Lampert

January 11, 1956 (Date) — Regional Counsel (Title, if any)

WILLFULLY FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U. S. CODE, TITLE 18, SECTION 80)

U. S. GOVERNMENT PRINTING OFFICE 16—67020-6

827

Indicates a Union 4/15/55 Letter Co. 1093

" " " " 4/22/55 " " "

Alexander, Estrella
2332 Flood Street

Alexander, Iworner
1480 Milton

Allen, Victoria
1542 Gordon St.

Alonzo, Caledonia
616 Lizardi St.

Amadee, Mary Ella
1642 Alabo St.

Anderson, Beatrice
1632 N. Claiborne

Anderson, Carrie Daur
2516 S. Galvez St.

Anderson, Dora
2602 Orleans St.

August, Gloria
1520 N. Derbigny St.

Aultman, Clarinda
3023 College St.

Baker, Earline
2518 Phillips St.

Banks, Marion
5312 Constance St.

Bickham, Amanda
2724 Saratoga St.

Blackwell, Mildred
1201 N. Prieur St.

Bowles, Doris Earline
2427 Louisa St.

Bozonier, Marguerite
2500 Touro St.

Breaud, Leonce
1523 N. Prieur St.

Brimmer, Bell
5323 N. Claiborne

Brooks, Millie M.
2415 Philip St.

Brown, Elvera M.
1829 Constantinople St.

Brown, Evangeline C.
1231 Elmira St.

Brown, Hazel
1125 Odeon St.

Brown, Idele
2812 General Taylor St.

Brown, Marguerite
3051 Clouet St.

Brumfield, Ruth
2540 Forstall St.

Bryant, Miriam
1332 Touro St.

Burkhalter, Ola Mae
2926½ Law St.

Burns, Elisabeth
2217 Dryades St.

Carr, Katie Ruth
2533 S. Rocheblave St.

Carter, Mary Louise
2024 Second St.

Clay, Alice
932 N. Villere St.

Clay, Helen
2018 Annette St.

Clemente, Lillie Mae
3011 Law St.

Coaston, Lucille
1933 Reynes St.

Coleman, Wilhelmina
3016 Thalia St.

Collins, Lula S.
2315 Clouet St.

Columbus, Juanita
4111 Melpomene St.

Cooper, Bessie
2927 Broadway

Courseault, Shirley Mae
1907 Allen St.

Cropper, Clara
1329 Andry St.

Dandridge, Dorothy
4810 N. Tonti St.

Darensburg, Irma
2529 S. Galvez St.

Davis, Elvera
2306 Louisa St.

Davis, Thelma
2306 Louisa St.

Delpit, Gloria
1721 New Orleans St.

Delpit Matilda
1721 New Orleans St.

Dixon, Gloria
2934 Pauger St.

Drake, Elisabeth
3201 S. Robertson St.

Duckett, Norma S.
1801 Hendee Ave.

Dufauchard, Arthemise
1513 N. Prieur St.

Eddington, Isabella
712 N. Rocheblave St.

Evans, Alice H.
2509 S. Claiborne Ave.

Ferguson, Pearl
1420 S. Galvez St.

Fernandez, Minnie Mae
1352 St. Anthony St.

Fountain, Genevieve
2621 S. Rocheblave St.

Francis, Edna
2218 Jackson Ave.

Franklin, Margaret
7726 Benjamin St.

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Allen, Victoria
1542 Gordon St.

Alonso, Caledonia
616 Lizardi St.

Amadee, Mary Ella
1642 Alabo St.

Anderson, Beatrice
1632 N. Claiborne

Anderson, Carrie Daur
2516 S. Galvez St.

Anderson, Dora
2602 Orleans St.

August, Gloria
1520 N. Derbigny St.

Aultman, Clarinda
3023 College St.

Baker, Earline
2518 Phillips St.

Banks, Marion
5312 Constance St.

Bickham, Amanda
2724 Saratoga St.

Blackwell, Mildred
1201 N. Prieur St.

Bowles, Doris Earline
2427 Louisa St.

Bozonier, Marguerite
2500 Touro St.

Breaud, Leonce
1523 N. Prieur St.

Brimmer, Bell
5323 M. Claiborne

Brooks, Millie M.
2415 Philip St.

Brooks, Myrtle
2110 St. Ann St.

Brown, Bessie
7303 Palm St.

Brown, Hazel
1125 Odeon St.

Brown, Idele
2812 General Taylor St.

Brown, Marguerite
3051 Clouet St.

Brumfield, Ruth
2540 Forstall St.

Bryant, Miriam
1332 Touro St.

Burkhalter, Ola Mae
2926½ Law St.

Burns, Elisabeth
2217 Dryades St.

Carr, Katie Ruth
2533 S. Rocheblave St.

Carter, Mary Louise
2024 Second St.

Clay, Alice
932 N. Villere St.

Clay, Helen
2018 Annette St.

Clemente, Lillie Mae
3011 Law St.

Coaston, Lucille
1933 Reynes St.

Coleman, Wilhelmina
3016 Thalia St.

Collins, Lula S.
2315 Clouet St.

Columbus, Juanita
4111 Melpomene St.

Cooper, Bessie
2927 Broadway
2708 Annunciation

Coston, Ethel
3321 Louisa St.

Coston, Lela Mae
3321 Louisa St.

Dandridge, Dorothy
4810 N. Tonti St.

Darensburg, Irma
2529 S. Galvez St.

Davis, Elvera
2306 Louisa St.

Davis, Thelma
2306 Louisa St.

Delpit, Gloria
1721 New Orleans St.

Delpit Matilda
1721 New Orleans St.

Dixon, Gloria
2934 Pauger St.

Drake, Elizabeth
3201 S. Robertson St.

Duckett, Norma S.
1801 Hendee Ave.

Dufauchard, Arthemise
1513 N. Prieur St.

Eddington, Isabella
712 N. Rocheblave St.

Evans, Alice H.
2509 S. Claiborne Ave.

Ferguson, Pearl
1420 S. Galvez St.

Fernandez, Minnie Mae
1352 St. Anthony St.

Fountain, Genevieve
2621 S. Rocheblave St.

Francis, Edna
2218 Jackson Ave.

Franklin, Margaret
7726 Benjamin St.

Franklin, Zearlee
1417 S. Galvez St.

Fulton, Vera
1712 Lizardi St.

828

Gabriel, Geneva
1472 Senate St.

Gamble, Indiana
3612 Dauphine St.

Gant, Mary
Box 459, Chalmette, La.

Gibson, Veoila
1234 Alabo

Givens, Catherine
1823 Foucher St.

Green, Dorothy
1904 Iberville St.

Green, Herise
3700 Thalia Pkwy.

Green, Jimmie Lou
2739 Metropolitan St.

Green, Louise
3026 Metropolitan St.

Griffin, Audrey
5515 N. Robertson

Griffin, Ethel E.
2226 Clouet St.

Griffin, Joyce M.
1520 N. Derbigny St.

Guidry, Mary A.
1715 N. Derbigny St.

Hall, Catherine J.
2037 Second St.

Harris, Freddie
2112 Delachaise St.

Harris, Mable
3911 Gibson St.

Haughton, Lula Mae
1905 Esther St.

Haynes, Gustavia
1120 Salcedo St.

Haynes, Ida
2826 Clouet St.

Head, Marguerite
3142 N. Tonti St.

Henderson, Alma
1724 Clio St.

Henderson, Victoria
2805 Cadis St.

Hicks, Rose M.
676 N. Galvez St.

Holden, Helen
1635 N. Prieur St.

Hollingshed, Jennie
3331 Louisa St.

Holmes, Alma Mae
3313 S. Liberty St.

Hood, Viola
2629 Josephine St.

Hubbard, Ruth
2004 Lafitte St.

Hughes, Ninnie Bell
3339 Louisa St.

Jackson, Dorothy
9300 Apricot St.

Jackson, Eleanora
2415 St. Philip St.

Jackson, Louise
3414 Willow St.

Johnson, Luella
8514 Plum St.

Johnson, Olivia
4103 Holly Grove St.

Johnson, Virginia
2704 Belmont Pl.

Jones, Edna
923 St. Ann St.

Jones, Shirley
2429 Montegut St.

Joshua, Olivia
6105 N. Robertson St.

Keeler, Johnnie Mae
1915 Tupelo St.

Kelly, Dorothy
3507 Pauger St.

Kimble, Alnetta
3620 Erato St.

Lanier, Elmarie
5116 Chartres St.

Lanier, Ernestine
5116 Chartres St.

LaRose, Gertrude
1406 St. Philip St.

Larrieu, Louis
1513 Andry St.

Leach, Ruth (nee Lee)
St. Bernard Parish, Arab.

LeBeaue, Edna
2133 Third St.

Lee Ruby
3051 Clouet St.

Lesire, Amelia
2749 St. Peter St.

Lewis, Audrey Ann
2830 Upperline St.

Lewis, Doris
2026 Feliciana St.

Lewis, Leonard L.
1305 Semmes St.
Box A-75, Algiers, La.

Lockett, Marie
2016 Alabo St.

Lodge, Kathleen
515 Lizardi St.

Lyons, Lorraine
2119 Pauger St.

Margin, Eleanor
2222 Jackson Avenue

Marshall, Dorothy
3322 Abundance St.

Marshall, Willie Lee
2309 Louisa St.

Martin, Eliska
2716 Conti St.

Martin, Victoria
932 N. Villere St.

Matthews, Gloria
5212 N. Claiborne

McGee, Vivian
2321½ Delachaise St.

McKinnie, Leotha
1014 St. Claude St.

Merridith, Geraldine
2521 Forstall St.

Myers, Mandy
2804 Cherry St.

Monette, Roberta
7701 Olive St.

Montgomery, Bessie
925 Deslonde St.

Moore, Orelia
9036 Belfast

Moten, Lena Mae
2620 St. Maurice Ave.

Mouton, Gloria
3537 Alfred

Nash, Adele R.
1917 Delachaise St.

Newman, Marietta
2530 Freret St.

Newton, Rosie Lee
1513 Andry St.

Nicholas, Clotilde
2801 Monticello St.

Parker, Shirley
3507 Pauger St.

Patterson, Elnora
4032 Eve St.

Patterson, Pearl
2086 Law St.

Penn, Gloria
2210 Flood St.

Phillips, Louise E.
1304 St. Anthony St.

Pierre, Eloise
2611 Danneel St.

Powell, Melvina
1624 Lizardi St.

Randall, Edna
1510 Flood Street

Rapp, Gloria
2735 Peniston St.

Recasner, Isabella
1306 Gordon St.

Reed, Dorothy K.
6101 N. Galvez St.

Reeves, Merlie
3128 Laussat Pl.

Richards, Eucharist
1407 Annette

Richardson, Rose
2621 S. Rocheblave St.

Robertson, Adele Lewis
3404 Momus Court

Rollins, Geraldine
2521 Charbonnet St.

Rose, Louise
1828 Pauger St.

Rubit, Dorothy
1305 Socrates St.

Rubit, Dorothy B.
1707 Nunez St.

Sanders, Ada
Rt. 1, Box 351
Chalmette, La.

Sawyer, Ellen
1923 Egania St.

Scott, Dolores
3923 Buchanan St.

Seaton, Rebecca
2321½ Delachaise St.

Shelton, Clara M.
2521 Forstall St.

Sims, Evelyn
1935 Delachaise St.

Simpson, Lillian
3509 Thalia St.

Smith, Leonardine
2817 Marigny St.

Smith, Octavia
1721 Marais St.

Stevens, Kate
7804 Macon St.

Stewart, Millie L.

Taplin, Dorothy Mae
1307 S. Genois St.

Tate, Mary H.
730 S. Rendon St.

Thomas, Luvenia
1500 Lamanche St.

Thomas, Mary
3115 Metropolitan St.

Thomas, Mignonette
5444 N. Robertson St.

Thomas, Shirley
1514 Andry St.

Thornton, Jesenu A.
2307 Dryades St.

Valentine, Hilda
2335 Pauger St.

Wade, Maude
7916 Nevada, Kenner, La

Walker, Hattie
2621½ LaSalle St.

Washington, Beatrice
2332 Winthrop St.

Washington, Lula M.
1415½ Clara St.

Watford, Fannie M.
2510 Lamanche St.

Watson, Mable
1518 Ursuline St.

Weber, Theresa
1300 Keppler St.,
Gretna, La.

White, Beatrice H.
2631 S. Johnson St.

Williams, Alice
2007 LaSalle St.

Williams, Helen
2607 Deslonde St.

Williams, Lucy
2732½ Conti St.

Williams, Marian
2323 Washington Ave.

Woodfork, Yvonne

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FOR REMAINDER OF PAGE

Myers, Mandy
2804 Cherry St.

Monette, Roberta
7701 Olive St.

Montgomery, Bessie
925 Deslonde St.

Moore, Orelia
9036 Belfast

Moten, Lena Mae
2620 St. Maurice Ave.

Mouton, Gloria
3537 Alfred

Nash, Adele R.
1917 Delachaise St.

Newman, Marietta
2530 Freret St.

Newton, Rosie Lee
1513 Andry St.

Nicholas, Clotilde
2801 Monticello St.

Parker, Shirley
3507 Pauger St.

Patterson, Elnora
4032 Eve St.

Patterson, Pearl
2086 Law St.

Penn, Gloria
2210 Flood St.

Phillips, Louise E.
1304 St. Anthony St.

Pierre, Eloise
2611 Danneel St.

Powell, Melvina
1624 Lizardi St.

Randall, Edna
1510 Flood Street

Rapp, Gloria
2735 Peniston St.

Ray, Wilhelmina
2831 General Taylor St.

Reeves, Merlie
3128 Laussat Pl.

Richards, Eucharist
1407 Annette

Richardson, Rose
2621 S. Rocheblave St.

Robertson, Adele Lewis
3404 Momus Court

Rollins, Geraldine
2521 Charbonnet St.

Rose, Louise
1828 Pauger St.

Rubit, Dorothy
1305 Socrates St.

Rubit, Dorothy B.
1707 Nunez St.

Sanders, Ada
Rt. 1, Box 351
Chalmette, La.

Sawyer, Ellen
1923 Egania St.

Scott, Dolores
3923 Buchanan St.

Seaton, Rebecca
2321½ Delachaise St.

Shelton, Clara M.
2521 Forstall St.

Sims, Evelyn
1935 Delachaise St.

Simpson, Lillian
3509 Thalia St.

Smith, Leonardine
2817 Marigny St.

Smith, Octavia
1721 Marais St.

Stevens, Kate
7804 Macon St.

Stewart, Millie L.
1918 Second St.

Thomas, Luvenia
1500 Lamanche St.

Thomas, Mary
3115 Metropolitan St.

Thomas, Mignonette
5444 N. Robertson St.

Thomas, Shirley
1514 Andry St.

Thornton, Jesenu A.
2307 Dryades St.

Valentine, Hilda
2335 Pauger St.

Wade, Maude
7916 Nevada, Kenner, La

Walker, Hattie
2621½ LaSalle St.

Washington, Beatrice
2332 Winthrop St.

Washington, Lula M.
1415½ Clara St.

Watford, Fannie M.
2510 Lamanche St.

Watson, Mable
1518 Ursuline St.

Weber, Theresa
1300 Keppler St.,
Gretna, La.

White, Beatrice H.
2631 S. Johnson St.

Williams, Alice
2007 LaSalle St.

Williams, Helen
2607 Deslonde St.

Williams, Lucy
2732½ Conti St.

Williams, Marian
2323 Washington Ave.

Woodfork, Yvonne
2223 London Ave.

Zeno, Audrey
1916 Constantinople St.

## SUPPLEMENTAL EXHIBIT II (a)

Attached are copies of correspondence, in chronological order, between the Board and respondent's attorney pertaining to the question of compliance. This correspondence is in addition to the exhibits which were attached to the original motion. As far as respondent is aware, the attached correspondence, together with the exhibits attached to the original motion, represents all of the correspondence passing between the Board and respondent's attorney on the question of compliance. If any other correspondence between the parties exists, copies thereof have not been located in the files of respondent's attorneys.

For the sake of completeness, also contained in Exhibit II—A, in proper chronological order, is a copy of the motion and corresponding order extending the time to answer the Specification to January 4, 1962.

NATIONAL LABOR RELATIONS BOARD

September 13, 1957

Re: *J. H. Rutter-Rex Mfg. Co. Inc.*
Cases Nos. 15-CA-721 and 723

Henry J. Read, Esq.
Montgomery, Barnett, Brown & Read
804 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

Your letter of September 11, 1957 has been referred to me for reply.

It is, of course, the position of this office that the Notice which was issued as a part of the Decree in this matter should be posted in accordance with the requirements of the Decree at the Franklinton plant of the Employer unless the Decree is modified to provide for the posting of a different notice.

When you discussed with me a possible amendment of the Decree, it was my understanding that you were concerned with the possibility that the wording of the Decree would indicate to the Franklinton employees that the Company was obligated to recognize the Amalgamated Clothing Workers of America as their bargaining agent at the Franklinton plant. At the time, I pointed out to you that the Respondent's obligations to recognize and bargain with the Union were clearly defined in the Notice if the entire notice was read, inasmuch as the bargaining unit was set forth in the Notice and confined to employees at the New Orleans plants of the Respondent. In suggesting the possibility of a stipulation which might form the basis of an amendment to the Decree, I did not have in mind the complete elimination of any reference to the Respondent's obligation to recognize and bargain with the Amalgamated Clothing Workers of America. This office would not be agreeable to any stipulation providing for the complete exclusion of any reference to such an obligation. As a matter of fact, we have no desire to have the Notice modi-

fied in any respect. As a matter of practicality, however, if some slight change in the wording could be made which would prevent any misunderstanding on the part of the Franklinton employees, we would have no objection to an amendment of the Notice in this respect. We would not, however, be the moving party in securing any amendment to the Notice, and such proposed amendments of the Decree as you would seek to have made would have to be initiated by your office. If such pleadings were forwarded to this office for our agreement, they would then be submitted to the General Counsel for a final decision in this respect.

It was my impression that what you intended to propose was a modification of the opening paragraph of the Notice by inserting after the word "employees" in the second line the words "at our three New Orleans plants," which would further emphasize the fact that the Employer was not, by posting the Notice, indicating an agreement to bargain with respect to employees at the Franklinton plant. Of course, I do not know at this time whether or not the General Counsel would be agreeable to such a modification of the Decree insofar as it would apply to the Franklinton plant. However, we would certainly have no objections to such a modification were it proposed.

I am sure that our disagreement with the particular modification of the Order which you have proposed does not in any way affect your right to petition the Court directly for such amendments as you may deem necessary and desirable. In any event, unless and until there is a modification of the Decree and the Notice, we would have no alternative but to insist that the Notice, which is a part of the Decree, be posted in compliance with Paragraph 2 (d) of the Decree.

Very truly yours,

CHARLES M. PASCHAL, JR.
Chief Law Officer

CMP:mr

March 29, 1960

Mr. John H. Immel, Jr.
Compliance Examiner
National Labor Relations Board
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.
Cases Nos. 15-CA-721 and 723

Dear Mr. Immel:

I have your letter of March 22 with reference to the above matters. I should like to discuss its contents with Mr. J. H. Rutter before replying, and Mr. Rutter is in New York at this writing. Upon his return, which should be toward the end of this week, I will be in touch with him and then let you have a reply to your letter.

Yours very truly,

HENRY J. READ

cc: Mr. J. H. Rutter
P. O. Box 3068 Bywater Station
New Orleans

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone EXpress 2411
Night TUlane 8320

April 7, 1960

J. H. Rutter-Rex [illegible] Co., Inc.
15-CA-721 and 15-[illegible]

Henry J. Read, Esquire
Montgomery, Barnett, Brown & Read
804-807 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

As indicated to you in our telephone conversation this date, we discovered that we did have correspondence from you subsequent to the September 11th letter referred to in our March 22nd letter. At your request we are supplying copies of this correspondence. Because we raised a question about the posting of notices at the Franklinton Plant, we are also enclosing a copy of Mr. Paschal's letter to you, dated September 13, 1957, which may refresh your recollection in respect to this problem.

I will meet with you at 2:00 p.m. on Tuesday, April 12, 1960. Thank you kindly for your response.

Very truly yours,

/s/ John H. Immel, Jr.
JOHN H. IMMEL, JR.
Compliance Examiner

Enclosures

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone EXpress 2411
Night TUlane 8320

April 15, 1960

J. H. Rutter-Rex Manufacturing Company, Inc.
Case Nos. 15-CA-721, 723, and 843

Henry J. Read, Esquire
Montgomery, Barnett, Brown
& Read
804-807 National Bank of Commerce
Building
New Orleans 12, Louisiana

Dear Mr. Read:

Enclosed are copies of the original charge in case 15-CA-843 and its attachments filed June 29, 1955, the first amended charge filed August 2, 1955, and its attachments, and of the second amended charge filed January 12, 1956, and its attachments. The charge was withdrawn October 31, 1957, and withdrawal approved on that date.

If there is any other material that will assist you in consideration of the problems raised by these cases which we may supply you, please fell free to call upon us.

I trust in the near future we may have a response to our request for the privilege of examining the payroll and Social Security records.

Very truly yours,

/s/ John H. Immel, Jr.
JOHN H. IMMEL, JR.
Compliance Examiner

Enclosures

April 21, 1960

Mr. John H. Immel, Jr.
Compliance Examiner
National Labor Relations Board
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13

J. H. RUTTER-REX MANUFACTURING CO., INC.
Cases Nos. 15-CA-721 and 723

Dear Mr. Immel:

With regard to your request to see the personnel and social security records of the subject company, I have arranged for you and me to have access to these records on Tuesday, April 26, at 10:00 a.m. If it meets with your convenience, I would suggest that you meet me at my office at about 9:45 and we can go down to the plant together.

Yours very truly,

HENRY J. READ

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone EXpress 2411
Night TUlane 8320

April 22, 1960

J. H. Rutter-Rex Manufacturing Company, Inc.
Case Nos. 15-CA-721 and 723

Henry J. Read, Esq.
Montgomery, Barnett,
Brown & Read

804-807 National Bank
of Commerce Building
New Orleans 12, Louisiana

Dear Mr. Read:

Thank you for your letter of April 21. I will call at your office at 9:45 a.m. on Tuesday, April 26, as you have suggested.

Very truly yours,

/s/ John H. Immel, Jr.
JOHN H. IMMEL, JR.
Compliance Examiner

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone EXpress 2411
Night TUlane 8320

April 26, 1960

J. H. Rutter-Rex Manufacturing Company, Inc.
15-CA-721 & 723

Henry J. Read, Esquire
Montgomery, Barnett, Brown
& Read
804-807 National Bank of
Commerce Building
New Orleans 12, Louisiana

Dear Mr. Read:

Following our meeting with Mr. Eugene Rutter this morning, at which time it was agreed that the undersigned would call at the plant on Thursday, April 28, 1960, at 9:00 a.m., for the purpose of inspecting payroll records, it became apparent that it would materially assist this investigation if we could have someone from Rutter-Rex go through the 1955 payrolls and indicate by code number the job performed by each employee. As you will recall, this was done on the 1954 strike payroll which was submitted to this office sometime ago. For that reason it would not be necessary to do the same for the 1954 payroll. It is my hope that this letter will reach you Wednesday morning in time not to seriously inconvenience the payroll department of Rutter-Rex.

Your cooperation in this matter will be sincerely appreciated.

Very truly yours,

/s/ John H. Immel, Jr.
JOHN H. IMMEL, JR.
Compliance Examiner

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

December 2, 1960

Re: J. H. Rutter-Rex Mfg. Co., Inc.
Cases Nos. 15-CA-721 and 723

Henry J. Read, Esquire
Montgomery, Barnett, Brown & Read
804-807 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

In accordance with the Decree of the United States Court of Appeals for the Fifth Circuit, in the case of *National Labor Relations Board* v. *J. H. Rutter-Rex Mfg. Co. Inc.*, No. 16422, dated August 19, 1957, this office requests that the Company make available for examination and copying, all personnel records containing employees' addresses, social security numbers, clock numbers, and reasons for terminating employment with the Company.

It is suggested that these records be made available during the week beginning December 12, 1960.

Please notify me whether this meets with your approval.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

cc: J. H. Rutter-Rex Mfg. Co. Inc.
3725 Dauphine Street
New Orleans, Louisiana
(Registered Mail-Return Receipt Requested)

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

April 19, 1961

REGISTERED MAIL

J. H. Rutter-Rex Mfg. Co., Inc.
Cases Nos. 15-CA-721 and 723

Henry J. Read, Esq.
Montgomery, Barnett, Brown & Read
804-807 National Bank of Commerce Building
New Orleans 12, Louisiana

Dear Mr. Read:

In accordance with the Decree of the United States Court of Appeals for the Fifth Circuit in the above-captioned cases, this office requests that the Company make available at the Company's office for examination and copying, including microfilming, the Company records including the following:

1. All applications for employment at the Company since the strike began of persons on the attached list "A".
2. Any records, including individual production and personnel record cards, of the persons whose names appear on the attached lists "A" and "B" which will indicate the following:

   a) Exact date(s) each person's employment began and ended and the reason for terminating said employment, as well as dates of leave(s) of absence for said persons.
   b) Operation(s) performed by said persons during their period(s) of employment at the Company and dates when performing each operation.

c) Rate of earnings of said persons during the period(s) of employment at the Company since January 1954.

3. Payroll records covering the period from January 1, 1954 to the present which show the earnings of all employees for bi-weekly and quarterly periods; and, in addition, the operations performed by all employees during said periods if available on said payroll records.



It is requested that these records be made available beginning at 9:00 a.m., May 1, 1961.

Request you confirm this arrangement at an early date.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

Encls. (2)

cc: J. H. Rutter-Rex Mfg. Co., Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

April 25, 1961

Mr. Gilbert P. Cohen, Attorney
NATIONAL LABOR RELATIONS BOARD
Fifteenth Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13

J. H. Rutter-Rex Mfg. Co., Inc.
Cases 15-CA-721 and 723

Dear Mr. Cohen:

I refer to your letter of April 19 with reference to the above company and to our conversation a few moments ago during which it was agreed that you would meet with me in my office on Monday, May 8, at 9:30 a.m. in order to discuss the nature and extent of the request for information contained in your letter.

Yours very truly,

HENRY J. READ

cc: Mr. Eugene J. Rutter

LAW OFFICES
MONTGOMERY, BARNETT, BROWN & READ
804-807 National Bank of Commerce Building
New Orleans 12, La.

Richard B. Montgomery
Walter M. Barnett
Wood Brown
Henry J. Read
John Phelps Hammond
Peter H. Beer
John Walker Read, III
Albert Mintz

---

John B. Gooch, Jr.

May 17, 1961

Mr. Gilbert P. Cohen, Attorney
NATIONAL LABOR RELATIONS BOARD—15th Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13

J. H. Rutter-Rex Mfg. Co., Inc.
Cases 15-CA-721 and 723

Dear Mr. Cohen:

In accordance with our telephone conversation of Wednesday, May 10, I am replying to your letter of April 19, 1961 on behalf of J. H. RUTTER-REX MANUFACTURING COMPANY, INC., and setting forth herein the company's suggestion as to the most expeditious and convenient manner of submitting the information which is necessary for you to satisfy yourself that the company has fully complied with the decision of the Fifth Circuit Court of Appeals as it pertains to the reinstatement of those employees who were strikers.

The company is in the process of preparing and will submit to you when prepared a list of the names of all of the strikers who applied for reinstatement after the termination of the strike, and the dates upon which applications were received from each employee. This will give you the information referred to in paragraph 1 of your letter of April 19.

The company is also preparing and will submit to you when prepared a list of those persons appearing on your "A" list and "B" list indicating the exact date on which each person's employment began and ended, the reason for termination in each case, and the dates of any leaves of absence taken by the employees on the lists. The list will indicate the operation performed by each employee for the periods in question and the rate of earnings from January 1954 through the year 1958. Until such time as it appears that current production rates and current rates of earnings are pertinent to the Board's present inquiry, the company would prefer not to include that information on the list submitted at this time. This information would appear to satisfy the request in part 2 of your letter of April 19.

If we are correct in understanding that your list "A" includes the names of all employees on the strike list who claimed to have applied for re-employment, and that your list "B" includes the names of those employees who were hired by the company at some time after the strike began, it would appear that the information requested in part 2 pertaining to lists "A" and "B" should enable the Board to determine whether or not there has been compliance with the decree, and part 3 of your letter seems to be a duplication of much or all of the information requested in part 2. As stated above, the company would like to defer the production of current payroll records until such time as their pertinence to your inquiry becomes apparent.

After this information is submitted to you it will be a relatively simple matter for you to conduct whatever examination of the company's records is necessary to satisfy the Board that the company's information as submitted is accurate. The company feels that it will be more convenient for you, will consume less of the company's time, and will cause less inconvenience to the company's employees if you will follow this suggestion in developing and checking the information you request.

The company feels that the representatives of the Board have already delayed to an unreasonable extent the processing of the compliance phase of this case. With regard

to the re-employment problem, there were many instances in which the company's dealings with a particular employee were a matter of oral conversation and not a matter of writing, and the passage of almost six years may in some instances make it more difficult for the company to establish what transpired than would have been the case if the Board had promptly processed whatever compliance procedures it deems proper.

A review of this matter indicates that the company has, on the many occasions on which the Board has made demands upon it for information, furnished that information promptly. Since 1957 the company has stated to the Board that it has fully complied with the order of the Circuit Court of Appeals and has cooperated with the Board in every way in an effort to have this matter brought to a close. On October 24, 1957, the company furnished, at the Board's request, a list of the employees on the payroll at the time of the strike who had applied for work after the strike terminated. Also in October of 1957 the company furnished payroll records for 1954 reflecting the rate of pay per hour, the earnings of each employee on the strike list, the operation number of each employee, the date upon which each striker re-applied, and the date on which each was re-hired.

Nothing further was heard from the Board until March 22, 1960, during which interval the company was under the impression that the Board agreed, based on the information furnished by the company, that satisfactory compliance had occurred. Mr. Immel's letter of March 22, 1960 requested the company to make available "payroll records, social security payment records, personnel records and reports necessary to analyze the amounts of back pay due and the rights of employment of strikers," Mr. Immel's request was complied with, and the records he asked for were made available to him. While I am not certain of the length of time which Mr. Immel spent in the company's offices going over the records he had requested, I am informed by the company that he was at the plant for more than a week and possibly two weeks in April of 1960.

With the departure of Mr. Immel, the company was certainly justified in believing that it had fulfilled its obligation to furnish information to the Board. However, again in December 1960, the company was requested, this time in a letter from Mr. Cohen, to "make available for examination and copying, all personnel records containing employees' addresses, social security numbers, clock numbers and reasons for terminating employment with the company". I understand that Mr. Jones and Mr. Cohen spent two additional days going over the records which the company furnished you in accord with your request of December 2, 1960. Although the company has already given you all information which could possibly be pertinent to the Board's inquiry, and has given the Board's representatives access to the records themselves for a period totalling several weeks, the company is now met with the sweeping request contained in your letter of April 19. It is of course obvious that each request for information is a source of inconvenience and expense to the company, since it disrupts the normal operation of the personnel and payroll departments and requires the employees in those departments to spend substantial amounts of time away from their regular duties in going through old files and gathering the requested information. It is for this reason that the company feels that it is justified in now suggesting a procedure which will minimize the added inconvenience and expense which would be involved in again having its personnel and payroll departments disrupted.

The company's position at this time is, as it has been since 1957, that it has complied with the requirements of Judge Brown's opinion. The company further feels that it has long since given the Board all of the information which the Board requires in order to determine for itself any questions of compliance. We accordingly hope that the Board will accept the information now being compiled as a means of expediting your work and minimizing further inconvenience to the company.

Yours very truly,

(Signed) HENRY J. READ
HENRY J. READ

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

May 25, 1961

Re: J. H. Rutter-Rex Mfg. Co. Inc.
Cases Nos. 15-CA-721 and 15-CA-723

REGISTERED MAIL

Henry Read, Esq.
National Bank of Commerce Building
New Orleans, Louisiana

Dear Mr. Read:

In reply to your letter of May 17, 1961, containing the Company's suggestion to this office's request in its letter dated April 19, 1961, to have made available certain Company records for examination and copying in connection with the above-captioned case, please be advised that your suggestion is not acceptable to the Region. After giving consideration to your suggestion, it is our position that the Company make the said records available pursuant to the request in our letter of April 19, 1961.

Your suggestion does not comply with our request or with the Decree of the Fifth Circuit Court of Appeals in this case. Moreover, we do not agree that your suggested method is the most expeditious and convenient manner of fulfilling our request.

As this office has previously informed you, we do not have information to indicate that you have complied with the Court Decree. Further, the information we now have indicates that you have not and are not now complying. Therefore, it becomes increasingly important that you make available the requested records.

Your suggestion is not acceptable because it will cause further delay. You did not state in your letter of May 17

when you will submit the information to us pursuant to your sugg tion. Furthermore, in your telephone conversation with Mr. Cohen of this office on May 10, 1961, you said that you did not know when the information would be submitted but merely that the Company had already begun to compile it. As you will recall, in our letter of April 19, we informed you that we were going to use a microfilmer to copy the requested records. By the use of this method of copying, we will be able to secure the information from the records in the most expeditious manner possible.



Your suggestion is also not acceptable because it is not the most convenient method of fulfilling our request. Your suggestion necessitates that you gather the requested records from your files on two occasions instead of only one. As you made mention in your letter of May 17, the Company furnished on October 24, 1957, a list purporting to be "the employees on the payroll of the Company at the time that the strike was called who applied for work after the strike terminated" and which also purported to reflect "the date each applied for work following the termination of the strike and the date they were actually returned to work." Our investigation has indicated that this list appears to be both incorrect and incomplete in many instances. Therefore, the office feels that it would have to verify from your records all information which you would submit pursuant to your suggestion. As you can readily see, this would require that you would have to gather the requested records to compile the information to submit to us and that on a second occasion you, again, must pull the records from your files to make them available for us to verify the information.

From the above, it becomes apparent that your suggestion is both time consuming and inconvenient to all concerned.

It should be noted that your suggestion does not consider our request for certain records in paragraph num-

ber one of our letter of April 19, in which we request "All applications for employment at the Company since the strike began of persons on the attached list 'A'." In your letter of May 17, in reply to the request, it was your suggestion that you prepare "a list of the names of all of the strikers who applied for reinstatement after the termination of the strike, and the dates upon which applications were received from each employee" in lieu of fulfilling our request. As I have previously pointed out in this letter, you have submitted such a purported list to us on October 24, 1957, which we have found to be incorrect. We have this list and do not need another copy of it. If you will compare the list "A" enclosed in our letter of April 19 with the list you submitted in 1957, you will find that they are not identical. As to those names that are the same, we now want to inspect your records to verify the information submitted. As to the persons not included in the list you submitted in 1957, you have not, in any manner, agreed to make available the records or information requested in paragraph number one of our letter of April 19.

The Region takes issue with you regarding your position that a portion of those records requested in paragraph 2(c) and all of those records requested in paragraph number three of our letter of April 19, 1961, are not now "pertinent to the Board's present inquiry." As I stated above, our information indicates that you have not complied and are not now complying with the Decree.



This information further indicates that back pay for some persons may still be accruing. Therefore, the records concerning replacement workers employed from the beginning of the strike to the present time becomes immediately pertinent to our invstigation. You have only made available in the past Social Security quarterly reports and yearly consolidated payrolls for 1954 and 1955. As a result, we have not had an opportunity to determine whether there have been any new replacement employees hired since 1955. The records requested in paragraph three in our

letter of May 19 will be necessary to assist us in making that determination. Also, these records are now necessary to assist us in determining an appropriate formula to compute gross back pay if any is found due. Payroll data for *all* employees is necessary to make this determination and not just for the strikers and replacement workers. The period of inquiry is from 1954 to the present and not just through 1958 as you have indicated in your letter.

The records requested in paragraph number one is material since the Decree requires applications for reinstatement before strikers are entitled to job reinstatement. The records described in paragraph 2(a) are necessary to assist in determining who are strikers, when they were reinstated pursuant to the Decree, and to determine who are replacement workers and the extent of their employment. You have already supplied this office with some of the information requested in paragraph 2(a) found in the October 24, 1957 list. We do not need this information again, but we now need to inspect the records in accordance with our present request. Paragraph 2(b) is necessary to establish whether and when positions became available for strikers following applications for reinstatement pursuant to the Decree.

In regard to your allegation that the Company feels that the Board has "already delayed to an unreasonable extent the processing of the compliance phase of this case," I want to point out that much of the cause for this lapse of time since the Decree was caused by the Company. The inadequate and inaccurate list the Company furnished this office on October 24, 1957, which has been previously referred to in this letter, has caused us to have to conduct a full and extensive investigation to determine whether any persons were discriminated against within the meaning of the Decree. This has meant that we had to contact and interview, in many instances, hundreds of persons who were potential discriminatees. It has been a long and difficult task. This type task was envisioned by Judge Brown as reflected in his opinion in the case.

The Company has further prolonged this case by its time consuming meetings following each request to see

the records. Mr. John Immel, our former compliance examiner, by letter of March 22, 1960, requested the Company to make available certain records at an early date. Due to a series of negotiations prompted by the Company, it was not until April 28, 1960, or thereafter, that the records were made available. This was the first occasion



that this office inspected Company records. Mr. Immel spent approximately five to seven days at the Company. The Company made available *only* the Social Security quarterly reports and the yearly consolidated payroll reports for the years 1954 and 1955.

Our only other request to inspect and copy records was made by letter dated December 2, 1960, requesting certain records be made available on December 12, 1960. As a result of a series of negotiations requested by the Company, the records were not made available until December 19, 1960. During these negotiations, Mr. Cohen and Mr. Jones, of this office, explained the status of the investigation and the necessity for further requests for inspecting records in the future as the investigation further progressed. The Company made no objections at that time. The Company made available to Mr. Cohen and Mr. Jones certain personnel and production cards of a list of persons furnished to the Company. The purpose of that inquiry was to determine whether those persons were strikers and to find where they could be located. This was necessitated by the inaccurate list furnished this office by the Company in 1957. Because the Company could not locate certain cards for persons appearing on the furnished list, the 1954 consolidated yearly payroll report and the 1954 Social Security Quarterly reports were requested during that visit to the Company to determine whether those persons were employed by the Company in 1954. No other records were requested at that time. Mr. Cohen and Mr. Jones spent approximately two days at the Company.

Our present request to have made available certain records was made by letter dated April 19, 1961, requesting the records to be made available for examination and copying, *including microfilming*, on May 1, 1961. Due to Company prompted negotiations those records have not been made available as of the date of this letter. During a meeting in your office on May 8, 1961, attended by Mr. Cohen and Mr. Jones, the materiality of the requested records was explained to you. At that time you agreed to the materiality of the records and to make the records available during that week, following a meeting you were to have with Company officials. In fact, you agreed to have them available the next day, if the necessary arrangements could be made. No mention was made at that time of your present suggestion. It was not until May 11 that you brought up this suggestion, and on that date you were requested to submit it in writing to avoid any misunderstandings. The letter was not received by this office until May 23.

It is clear from the above that much of the fault of the lapse of time since the Decree must be attributed to the Company.



In your letter you made reference to payroll records for 1954 which you furnished this office in the year 1957. To clarify the point, you furnished one payroll covering a two week period for the payroll period ending April 17, 1954, containing a list of names of all employees on that payroll, their operation for that period, the hours worked for that period, their earnings for those two weeks, their rate of pay per hour for that period, and their clock number.

It must be noted that most of the records now requested have not been made available to this office at any time in the past. Certainly, from the foregoing, the present pertinency and materiality of the requested records are unquestionable.

The Board agents will use every means possible not to be disruptive to the Company in its conduct of its business and to be of the least possible inconvenience to it while at the Company inspecting and copying the records. The use of portable microfilming equipment should shorten their stay at the Company for the convenience of everyone.

For the above reasons, I have no other alternative but to notify you at this time that in the absence of a reply by the Company to make the requested records available as set forth in our letter of April 19, 1961, on a date no later than ten days from the receipt of this letter, I will recommend that contempt proceedings be instituted in the United States Court of Appeals for the Fifth Circuit.

Very truly yours,

/s/ John F. LeBus
JOHN F. LEBUS,
Regional Director
National Labor Relations Board
Fifteenth Region

cc: J. H. Rutter-Rex Mfg. Co. Inc.
(Sent by Registered Mail)

June 1, 1961

CERTIFIED No. 758797—RRR

Mr. John F. LeBus, Regional Director
National Labor Relations Board—15th Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13, Louisiana

RE: J. H. Rutter-Rex Mfg. Co. Inc.
Cases 15-CA-721 and 15-CA-723

Dear Mr. LeBus:

I have your letter of May 25 in reply to mine of May 17. I have carefully reconsidered my letter and do not find in it any indication that the company is unwilling to furnish such information as may be required by the Decree. Nor has anything transpired since the opinion of the Court in 1957 which provides a basis for concluding that the company has not complied promptly and fully with the requirements of the Decree. I might add that the writer's conversations with your Mr. Cohen contained no suggestion that he considered the company's request in its letter of May 17 unreasonable. When I advised Mr. Cohen that the company was assembling the information in line with my letter of May 17, 1961, he gave no indication that the information in that form would not be satisfactory, but simply advised the writer that he would consult with his superiors at the Board and that we would be officially notified in due course. While I cannot say that Mr. Cohen had indicated approval of the plan suggested in my letter of May 17, I certainly can say that he did not react to the suggestion in any way which would have led the company or the writer to expect your threatening reply of May 25.

Your letter seems almost designed to lead the company into a course of conduct which could perhaps be construed as inconsistent with the requirements of the Decree. If this is your intention it parallels the conduct of the negotiators for the Amalgamated Clothing Workers who, at a meeting on March 9, 1960, insisted that the company sign

a written contract, and when the company agreed to sign it, refused to sign it themselves. The company charged at that time that the union was perhaps more interested in creating legal pitfalls for the company than it was in reaching an agreement. Your letter of May 25 suggests that possibly you are more interested in having the company refuse to give the Board's agents access to its records, thus supplying you with a basis for seeking a contempt citation when none now exists, than you are in completing the compliance phase of this case.

It would serve little purpose to review your letter in detail. However, I do note that you go to great lengths to document delays of several days on the company's part in response to various requests received from the Board from time to time. We do not think that the Fifth Circuit Court of Appeals or anyone else will be particularly impressed with your concern with such delays after you permitted this case to remain dormant in your office from October 1957 until March of 1960. As Mr. Immel stated in his letter to the writer of March 22, your office is "in the position of having delayed action in this matter over a period of several years".

You refer to certain inaccuracies in the information which has been furnished to you by the company from time to time. You apparently have not considered the possibility that the information which you got from other sources may be inaccurate. If there are any inaccuracies in any information submitted to you by the company, they were inadvertent. Dealing with a large list of names it is perhaps inevitable that some inaccuracies will exist. However, it was never the company's suggestion that any information which it furnished be accepted as a basis for action without affording the Board's agents an opportunity to conduct whatever check of the company's records may have been required to satisfy themselves concerning the accuracy of the information submitted. It is unfortunate that Mr. Cohen did not suggest to the writer that it would be futile for the company to prepare the information in the form referred to in my letter of May 17, 1961. If he had, then the company would not have gone

to the trouble of preparing the information. Mr. Cohen did not tell the writer that the company should not proceed with the preparation of the information, but rather inquired of the writer when he thought the information would be available. Under these circumstances, the company of course did not defer the preparation until we had your official reply, and the result of this has been that the company has spent a great deal of time preparing a lot of information which you now say you find unacceptable.

It is obvious that the procedure suggested by the company would save a great deal of time on the company's part as well as on the part of your representatives. My letter of May 17, after reviewing the amount of time which has been devoted to this case by the company's personnel and payroll departments, stated that "the company feels that it is justified in now *suggesting* a procedure which will minimize the added inconvenience and expense which would be involved in again having its personnel and payroll departments disrupted". You have apparently construed this language, for purposes of your own, as a refusal to accord the Board's agents access to the company's records. You are of course entitled to interpret the language of my letter in any way you see fit, but the writer is authorized to advise you that the company would not be at all concerned about the prospect of a contempt proceeding based upon the record as it now stands.

If it is the intention of your letter to antagonize the company into taking a stand which it has not taken heretofore, the company prefers not to accommodate you. If either Mr. Jones or Mr. Cohen has indicated to you that the company has, at any time, refused to make available the records necessary for an analysis of the rights of those employees affected by the Decree in this case, they have misled you. From the writer's dealings with Mr. Cohen and Mr. Jones, he finds it hard to believe that either of them would have misrepresented the company's position, but it is also difficult to understand the threat contained in the last paragraph of your letter except on the as-

sumption that you are not familiar with what has transpired in the compliance phase of this case.

Since you apparently do not want any assistance from the company's personnel in compiling the information pertinent to the Decree, the company will make available the records to which your letter refers and your representatives will be given an opportunity to compile it for themselves. As to the date on which you can begin this task, the company suggests Thursday, June 8, at 9:00 A.M.

As to your request that you be permitted to microfilm the records, the company would prefer that this not be done unless it is clearly required by the terms of the Decree. The writer is not aware of any authority in the decisions of the courts or the Board which requires a respondent to permit the microfilming of its records, but if such authority exists, the company would like to have that authority brought to its attention.

Yours very truly,

HENRY J. READ

cc: J. H. Rutter-Rex Mfg. Co., Inc.

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☐ Deliver ONLY to addressee ☐ Show address where delivered

*(Additional charges required for these services)*

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SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

NATIONAL LABOR RELATIONS BOARD
FIFTH (illegible) REGION
820 Lowich Building
2026 St. Charles Avenue
NEW ORLEANS 13, LOUISIANA

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Dorothy H. Burk

DATE DELIVERED

6-5-59

ADDRESS WHERE DELIVERED (only if requested in item #1)

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NLRB-15th Region
820 Lowich Building
2026 St. Charles Ave.
Nola 13

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REGISTERED NO.

NAME OF SENDER

MONTGOMERY, BARNETT, BROWN & READ

CERTIFIED NO.

758797

STREET AND NO. OR P.O. BOX

806 NATIONAL BANK OF COMMERCE BLDG.

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NEW ORLEANS 12, LOUISIANA

POD Form 3811 Jan. 1958

CSS—16—71548-4

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone EXpress 2411
Night TUlane 8320

June 26, 1961

Henry J. Read, Esq.
Montgomery, Bennett,
Brown & Read
804-807 National Bank
of Commerce Building
New Orleans 12, Louisiana

J. H. Rutter-Rex
Mfg. Co., Inc.
Cases Nos. 15-CA-721
and 15-CA-723

Dear Mr. Read:

In connection with our request in our letter dated April 19, 1961, to make certain records available for examination and copying regarding the above-captioned case, it is further requested that the following names be added to List "B" enclosed in said letter.

| Name | Clock No. | Name | Clock No. |
|---|---|---|---|
| Marie Bridges | 3227 | Rachel Pope | 4094 |
| Hilda Bean (Dowls) | 3540 | Millie Glapion | 4145 |
| Lorraine Parquet | | Joseph Dejoie | 2909 & 3761 |
| (Anderson) | 3612 | Joyce W. Brown | 3808 |
| | | Dorothy Campbell | 3889 |
| Marie Smith | 3645 | Joseph U. Larkins | 572 |
| Annie Sterling | 3664 | Dorethe Aaron | 633 |
| Amanda Aubert | 3768 | Eloise Burke | 682 |
| Doris Nelson | 3774 | Walter D. Smith | 956 |
| Shirley Marrero | 3782 | Kenneth E. Bayard | 966 |
| Audrey Bourgeois | 3784 | Mildred Couvillion | 1417 |
| Myrtle B. Williams | | Martha Landes | 2423 |
| (Sanidifer) | 3812 | Magee Easter | 2751 |
| | | Betty Hall | 2925 |
| Dixie Murray | 2906 | Lillie Lee | 3217 |

Very truly yours,
/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

cc: J. H. Rutter-Rex Mfg. Co. Inc.
3725 Dauphine Street
New Orleans, Louisiana

June 27, 1961

Mr. Gilbert P. Cohen, Attorney
NATIONAL LABOR RELATIONS BOARD—15th Region
820 Lowich Building
2026 St. Charles Avenue
New Orleans 13

J. H. RUTTER-REX MFG. CO., INC.
Cases 15-CA-721 & 15-CA-723

Dear Mr. Cohen:

I have your letter of June 26, and have discussed its contents with Mr. Rutter. The company has no objection to your supplementing List "B".

Yours very truly,

HENRY J. READ

cc: J. H. Rutter-Rex Mfg. Co., Inc.
*Attention Mr. E. J. Rutter*

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

July 13, 1961

Re: J. H. Rutter-Rex Mfg. Co. Inc.
Cases Nos. 15-CA-721, 15-CA-723

Henry J. Read, Esq.
Montgomery, Barnett, Brown & Read
804-807 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

I was informed by the above Company that it could not locate the requested personnel records of persons listed below whose names appeared in our letters of April 19, 1961, and June 26, 1961. Please notify this office when these requested records are located.

LIST "A"

| | Clock No. | | Clock No. |
|---|---|---|---|
| Armour, Henry | 4101 | Johnson, Eunice | 1610 |
| Banks, Marion | 3103 | Jolly, Ruth Joyce | 1301 |
| Berry, Ira | 2269 | Landry, Lila Coston | 1664 |
| Bowles, Doris Earline | 101 | Morrison, Elouise | 890 |
| Brown, Elvera M. | 343 | Parnell, Yvonne | 3234 |
| Burns, Hazel | 1509 | Penn, Gloria Mae | 3253 |
| Campbell, Rose | 107 | Proctor, Mildred | 1278 |
| Delpit, Gloria | 2401 | Ray, Wilhelmina | 3448 |
| Dixon, Gloria | 1061 | Reed, Dorothy K. | 3123 |
| Gant, Mary | 1303 | Sentino, Gloria | 1691 |
| Haynes, Gustavia | 37 | Taylor, Mary | 3 |
| Henderson, Victoria | 294 | Thomas, Shirley | 2670 |
| Jackson, Eleanora | 2124 | Walker, Marjorie | 91 |
| Jackson, Elinor | 2290 | Wallace, Alma | 2552 |
| Jackson, Louise | 2451 | White, Annie L. | 2344 |
| Jeff, Catherine | 3459 | White, Beatrice | 1965 |
| Jennings, Ann | 1343 | Woodfork, Yvonne | 39 |
| Johnson, Elaine | 1698 | Woodridge, Estella | 692 |

LIST "B"

| | Clock No. | | Clock No. |
|---|---|---|---|
| Canabre, Arlean | 3053 | Lee, Gloria M. | 3728 |
| Delmar, Millicent | 3646 | Long, Nellie | 2766 |
| Dupleche, Alice | 2891 | Minfrey, Marie | 3846 |
| Durand, Dorothy | 3114 | Morris, Anita | 3576 |
| Durel, Lenelda | 3406 | Murray, Dixie | 2906 |
| Easter, Magee | 2751 | Nelson, Shirley | 3727 |
| Edwards, Ella Mae | 2845 | Porter, Lillie Mae | 1802 |
| Emel, Thelma | 3825 | Reed, Earnestine | 3469 |
| Eves, Hany | 534 | Roberts, Wilma Lee | 3201 |
| Funches, Duffie | 1965 | Robertson, Lillian | 3652 |
| Goodman, Gloria | 2460 | Robertson, Mary | 3791 |
| Handy, Laverne | 3386 | St. Clair, Jeanette | 1242 |
| Hosker, Maggie | 3694 | Schiler, George | 3806 |
| Johnson, Martha Mae | 3804 | Tumer, Doretha | 3375 |
| Johnson, Virgus | 2639 | Vane, Leeuwaarde R. | 3682 |
| Julien, Dolores | 1695 | Ware, Lucille | 3037 |
| Juneau, Victoria | 3722 | Williams, Mary L. | 3436 |
| LeBlanc, Gloria | 2689 | Zardes, Martha | 2423 |
| Lee, Annie | 2325 | | |

Sincerely yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

cc: J. H. Rutter-Rex Mfg. Co., Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

July 14, 1961

Re: J. H. Rutter-Rex Mfg. Co., Inc.
Cases Nos. 15-CA-721, 15-CA-723

Henry J. Read, Esq.
Montgomery, Barnett, Brown & Read
804-807 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

In an effort to assist the above Company in locating personnel records of persons listed in list "A" of our letter of July 13, 1961, I am listing below other names under which the records of some of the persons may be filed.

LIST "A"

| Clock No. | Name | Other Name(s) Used |
|---|---|---|
| 3103 | Banks, Marion | Kennedy, Marion |
| 101 & 3198 | Bowles, Doris Earline | Brown, Doris E. |
| 1509 | Burns, Hazel | Jackson, Hazel |
| 1061 | Dixon, Gloria | Jackson, Gloria |
| 1303 | Gant, Mary | Bush or Ward, Mary |
| 37 | Haynes, Gustavia | Gale, Gustavia Haynes |
| 294 | Henderson, Victoria | Edmond, Victoria |
| 1610 | Johnson, Eunice Arlene | Gray, Eunice |
| 1664 | Landry, Lela Mae | Coston, Lila Mae; Thompson, Lilly Mae |
| 890 | Morrison, Elouise | Epps, Elouise Dorest |
| 3253 | Penn, Gloria Mae | Smith, Gloria Mae Singleton, Gloria Mae |
| 3123 | Reed, Dorothy K. | Kearney, Dorothy |
| 2670 | Thomas, Shirley | Caliste, Shirley |
| 2552 | Wallace, Alma | Lawrence, Alma |
| 1965 | White, Beatrice | Lane, Beatrice |
| 39 | Woodfork, Yvonne | Hollins, Yvonne |

Sincerely yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

cc: J. H. Rutter-Rex Mfg. Co., Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

July 17, 1961

J. H. Rutter-Rex Mfg. Co., Inc.
New Orleans, Louisiana
Cases Nos. 15-CA-721, 15-CA-723

Henry J. Read, Esq.
Montgomery, Barnett, Brown & Read
804-807 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

In connection with our request in our letter of April 19, 1961, to make certain records available for examination and copying regarding the above case, it is further requested that the following names be added to list "B" enclosed in said letter.

| Clock No. | Name |
|---|---|
| 40 | Stewart, Clara |
| 797 | Clay, Marie |
| 844 | Williams, Melvin E. |
| 912 | Earl, Ruth |
| 1453 | Magee, Jonnie |
| 1620 | Bates, Evelyn |
| 1765 | Morgan, Elizabeth |
| 1914 | Gill, Ellen Ruth |
| 1931 | Sheldon, Dorothy (Seldon) |
| 2041 | Bower, Lillian |
| 2069 | Jackson, Dorothy |
| 2126 | Boudreaux, Louis |
| 2280 | Catalanotto, Marie |
| 2430 | Schultz, Rose |
| 2639 | Buggage, Erma |
| 2671 | Oubre, Irving |
| 2855 | Levy, Hilda |
| 2894 | Hippler, Melva |
| 2977 | Williams, Margaret |
| 3048 | Favre, Rosemary |

| Clock No. | Name |
|---|---|
| 3370 | Bourgeois, Evelyn |
| 3599 | Foxworth, Louise |
| 3602 | Beckham, Lovell |
| 3615 | Buckhalter, Evia L. |
| 3744 | Montz, Benedict |
| 3798 | Wallace, Helen (Wells |
| 3860 | Seaberry, Marion |



During the course of the inspection of the payroll records, we were unable to determine from these records the operations performed by employees. To compute the gross back pay, in event anyone is entitled to back pay, it is necessary to know the operation performed by certain persons. Therefore, it is also requested that records be made available showing the operations performed by each of the following persons during their employment with the Company, and if any of these persons changed operations, the date of said changes. In the alternative, the Company may provide this information, in writing, by July 31, 1961.

| Clock No. | Name |
|---|---|
| 17 | Florence Gaspard |
| 38 | Martha Williams |
| 567 | Mary Bourgeois (Devroux) |
| 1069 | Joseph King |
| 2931 | Bernice Jackson |
| 3479 | Herbert Woodward |
| 3568 | Freddie Duke |
| 3579 | Mer Duckworth |
| 3676 | Florine Moreland (Jackson) |
| 142 | Sedonia Johnson |
| 504 | Mildred Payne |
| 699 | Leon Dejoie |
| 1425 | Elmer Orgeron |
| 2227 | Clifton B. Ricouard |
| 2791 | Gladys B. Turner |
| 3273 | Patricia Fisher |
| 295 | Ruth Fernandex |
| 596 | Keller, Lawrence |
| 1241 | Bayard, Gertino |

| Clock No. | Name |
|---|---|
| 845 | Nelson, Louis |
| 987 | Feliciana, Wilfred |
| 1510 | Lais, John T., Sr. |
| 1576 | Glapion, L., Jr. |
| 2516 | Victorian, Irwin |
| 2594 | Ware, William A. |
| 2671 | Oubre, Irving |
| 2704 | Harris, Freddie |
| 2750 | Douglas, Curtis |
| 2803 | Broom, Junius |
| 2811 | Glapion, Lawrence |
| 2813 | Leal, Edgar C. |
| 2841 | LaMotte, Armand |
| 2950 | Wallace, Willie |
| 2980 | Frere, Oliver, Jr. |
| 3048 | Speer, Elmer A. |
| 3134 | Magee, Jasper L. |



| | |
|---|---|
| 3197 | Weber, Willie, Jr. |
| 3237 | Henry, Alcee |
| 3339 | Tate, Jesse |
| 3461 | Stone, Melvin |
| 3498 | Palmer, Floyd |
| 4161 | Rogers, Garvis S. |
| 3201 | Hill, Henry |
| 3230 | Cooley, Earnest |
| 3490 | Jackson, Mervin |
| 3519 | Broom, Roland |
| 3538 | Sage, Harold Lee, Jr. |
| 3598 | Ard, Edward E. |
| 3621 | Keeler, Abna M. |
| 3893 | Rachel, George |
| 3898 | Baker, Marvin, Jr. |
| 509 | Childs, John A. |
| 850 | Navarre, Albert |
| 1517 | Dugas, Valcon G. |
| 2341 | Gettridge, Herbert |
| 2751 | Barney, Author Mese |
| 3014 | Perrin, Kenny |
| 3152 | Howard, James W. |
| 3378 | Jones, Melvin |
| 3611 | Mares, Donald J. |
| 3732 | Keller, Lawrence F. |

| Clock No. | Name |
|---|---|
| 2 | Grover, Richard |
| 4 | Brewer, Billy B. |
| 2355 | Olver, Alton |
| 3805 | Pierre, Louis J. |
| 4168 | Reynolds, Thomas E. |
| 14 | Thomas, Jessie |

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

cc: J. H. Rutter-Rex Mfg. Co., Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

July 25, 1961

Re: J. H. Rutter-Rex Mfg. Co. Inc.
Cases Nos. 15-CA-721, 15-CA-723

Henry J. Read, Esq.
Montgomery, Barnett, Brown & Read
804-807 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

Dear Mr. Read:

The above Company recently made available certain personnel records of persons whose names appeared on our letter of July 13, 1961. In that letter we listed personnel records that the Company was not able to locate. However, the Company was unable to locate the records of those persons listed below. Please notify this office when these records are located.

| Name | Clock No. |
|---|---|
| Armour, Henry | 4101 |
| Jackson, Elinor | 2290 |
| Johnson, Elaine | 1698 |
| Sentino, Gloria | 1691 |
| Canabre, Arlean | 3053 |
| Durand, Dorothy | 3114 |
| Easter, Magee | 2751 |
| Edwards, Ella Mae | 2845 |
| Eves, Hany | 534 |
| Goodman, Gloria | 2460 |
| Hosker, Maggie | 3694 |
| Johnson, Martha Mae | 3804 |
| Johnson, Virgus | 2639 |
| Julien, Dolores | 1695 |
| Juneau, Victoria | 3722 |
| Lee, Annie | 2325 |
| Long, Nellie | 2766 |

| Name | Clock No. |
|---|---|
| Murray, Dixie | 2906 |
| Roberts, Wilma Lee | 3201 |
| Williams, Mary L. | 3436 |



| | |
|---|---|
| Earl, Ruth | 912 |
| Bourgeois, Evelyn | 3370 |

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

August 8, 1961

Re: J. H. Rutter-Rex. Mfg. Co. Inc.
Cases Nos. 15-CA-721 and 723

Henry M. Read, Esquire
Montgomery, Barnett, Brown & Read,
Attorneys-at-Law
National Bank of Commerce Building
New Orleans, Louisiana

Dear Mr. Read:

In our letter of July 17, 1961, the office requested that the above named Company make certain records available or, in the alternative, to provide the information in writing by July 31, 1961. As you will recall, during our telephone conversation shortly after July 17, you agreed to furnish the information in writing. As of this date, we have not received the information from the Company.

In accordance with our agreement, it is requested that the Company furnish this information immediately.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

cc: J. H. Rutter-Rex Mfg. Co. Inc.

J. H. RUTTER-REX-MANUFACTURING CO.
INCOPORATED

Work Shirts ——— - - - ——— Work Pants
*for the Wholesale Trade*

Main Office Phone WHitehall 3-2484

P.O. Box 3068 Bywater Station
New Orleans

August 10, 1961

Mr. Henry J. Read
806 National Bank of Commerce Bldg.
New Orleans, Louisiana

Dear Mr. Read:

Below is listed the information Mr. Cohen requested in his letter of July 17, 1961.

| Button No. | Name | Operation |
|---|---|---|
| 17 | Florence Gaspard | Fly Taper |
| 38 | Martha Williams | Sleeve Facing |
| 567 | Mary Deveroux | Examine Pants |
| 1069 | Joseph King | Bundle Boy |
| 2931 | Bernice Jackson | Cuff Tacker |
| 3479 | Herbert Woodward | Truck Driver & warehouse utility |
| 3568 | Freddie Duke | Stock Room Order Puller |
| 3579 | Mercerdes Duckworth | Front Pocket Setter |
| 3676 | Florine Jackson | Front Pocket Setter |
| 142 | Sedonia Johnson | Janitress |
| 504 | Mildred Payne | Numbering in Cu[illegible]ng Dept. |
| 699 | Leona Dejoie | Repair Dept.—Pants |
| 1425 | Elmer Orgeron | Stock Room—Order Puller |
| 2227 | Clifton B. Ricouard | Asst. Manager Warehouse |
| 2791 | Gladys B. Turner | Assort and Wrap Shirts |
| 3273 | Patricia Fisher | Button Hole Cuff Operator |
| 295 | Ruth Fernandez | Assort Pants |
| 596 | Lawrence Keller | Maintenance |
| 1241 | Gertino Bayard | Truck Driver—Warehouse |
| 845 | Louis Nelson | Janitor |
| 987 | Wilfred Feliciana | Shipping Clerk—Main Plant |
| 1510 | John T. Lais, Sr. | General Utility Warehouse |
| 1576 | L. Glapion, Jr. | Utility—Cutting Room Porter |
| 2516 | Irwin Victorian | Shipping dept. |
| 2594 | William A. Ware | Truck Driver |
| 2671 | Irving Oubre | Shipping Dept.—Ship & Rec. |

Mr. Henry J. Read
National Bank of Commerce Bldg. -2- August 10, 1961

| Button No. | Name | Operation |
|---|---|---|
| 2704 | Freddie Harris | Truck Driver—Warehouse Utility |
| 2750 | Curtis Douglas | Marker |
| 2803 | Junius Broom | Porter |
| 2811 | Lawrence Glapion | Truck Driver—Warehouse Utility |
| 2813 | Edgar C. Leal | Bundle Boy |
| 2841 | Armand LaMotte | Spreader |
| 2950 | Willie Wallace | Collar Setter |
| 2980 | Oliver Frere, Jr. | Cutter |
| 3048 | Elmer A. Speer | Manager—out of town warehouse |
| 3134 | Jasper L. Magee | Truck Driver |
| 3197 | Willie Weber, Jr. | Bundle Boy |
| 3237 | Alcee Henry | Spreader |
| 3339 | Jesse Tate | Porter—Cutting Room |
| 3461 | Melvin Stone Thurn | Cutter |
| 3498 | Floyd Palmer | Cutter—out of town plant |
| 4161 | Garvis Rogers | Over the road Truck Driver |
| 3201 | Henry Hill | General Utility Warehouse |
| 3230 | Earnest Cooley | Truck Driver—Warehouse utility |
| 3490 | Mervin Jackson | Bundle Boy |
| 3519 | Roland Broom | Clicker |
| 3538 | Harold Sage, Jr. | Packer—Shipping dept. |
| 3598 | Edward E. Ard | Packing—Shipping dept. |
| 3621 | Abna Keeler | Cutter |
| 3893 | George Rachel | Order puller |
| 3898 | Marvin Baker, Jr. | Checker—Shipping dept. |
| 509 | John A. Childs | Over the road—Truck Driver |
| 850 | Albert Navarre | Porter—Bundle Boy |
| 1517 | Valcon Dugas | General Utility & Maintenance |
| 2341 | Herbert Gettridge | Porter |
| 2751 | Author Mese Barney | Pre-price operator |
| 3014 | Kenny Perrin | Asst. mechanic |
| 3152 | James Howard | Billing Dept. Clerk—Utility |
| 3378 | Melvin Jones | Cutting Dept.—Utility |
| 3611 | Donald Mares | Over the road—Truck Driver |
| 3732 | Lawrence Keller | See above |
| 2 | Richard Grover | Over the road—Truck Driver |
| 4 | Billy B. Brewer | Over the road truck driver |
| 2355 | Alton Oliver | Carpenter |
| 3805 | Louis Pierre | Bundle Boy |
| 4168 | Thomas Reynolds | Truck Driver |
| 14 | Jessie Thomas | Fly Stitcher |

Very truly yours,

J. H. RUTTER-REX-MFG. CO., INC.

/s/ Johanna Schwab
JOHANNA SCHWAB

August 14, 1961

Mr. Gilbert P. Cohen, Attorney
NLRB—15th Region
2026 St. Charles Ave.—*Room 820*
New Orleans 13

J. H. Rutter-Rex Mfg. Co., Inc.
Cases 15-CA-721 and 723

Dear Mr. Cohen:

I have your letter of August 8 and I am enclosing a thermofax copy of Rutter-Rex's letter to me of August 10 which lists the button number and operation of certain of the employees. If there is anything further which you want at this time, please call me.

Yours very truly,

HENRY J. READ

cc: J. H. Rutter-Rex Mfg. Co., Inc.

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

August 28, 1961

Re: J. H. Rutter-Rex Mfg. Co. Inc.
Cases Nos. 15-CA-721 and 723

Henry Read, Esq.
Montgomery, Barnett, Brown & Read
National Bank of Commerce Building
New Orleans, Louisiana

Dear Mr. Read:

Evidence has been presented to this office that the employees on the enclosed list went on strike and, thereafter, made unconditional applications for reinstatement as indicated on said enclosed list, and were reinstated or offered reinstatement on the date set forth opposite their names. Where no date of reinstatement is indicated, the evidence discloses that no offer of reinstatement has been made. The asterisk next to the date of reinstatement indicates that while reinstatement was made on that date, it was not to the same or a substantially equivalent position within the meaning of the terms of the Court Decree, and reinstatement within the terms of the Decree has not been made. The double asterisk indicates that although reinstatement was made prior to the date indicated, the individual was not reinstated within the meaning of the terms of the Decree until the date shown.

Under the terms of the Court Decree, strikers are entitled to reinstatement within five (5) days after application for reinstatement.

We would appreciate your position and evidence regarding whether the information contained on the attached

list is correct, and, when applicable, the reasons that the individuals were not reinstated within five (5) days after the date of application.

It is requested that you submit your position and evidence no later than October 2, 1961.

Very truly yours,

/s/ Gilbert P. Cohen
GILBERT P. COHEN
Attorney

Enc.

cc: J. H. Rutter-Rex Mfg. Co. Inc.
3725 Dauphine Street, N.O.

| Clock No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 3130 | Alexander, Estrella | 1/24/55 | 5/30/55 |
| 3176 | Alexander, Iworner | 4/ 5/55 | 4/25/55 |
| 3526 | Alexcee, Irene | 6/55 | N.R. |
| 2153 | Allen, Victoria | 4/ 5/55 | N.R. |
| 1938 | Alonzo, Caledonie | 4/ 5/55 | 5/ 4/55 |
| 2536 | Anderson, Beatrice | 4/18/55 | 7/12/55 |
| 2504 | Anderson, Carrie Daur | 4/22/55 | 7/18/55 |
| 3151 | Anderson, Dora | 4/ 5/55 | 5/ 2/55 |
| 2923 | Angrum, Ida M. | 8/15/55 | 10/ 3/55 |
| 4003 | August, Gloria | 4/ 5/55 | 7/25/55 |
| 1663 | Aultman, Clarinda | 4/ 5/55 | 7/25/55 |
| 3103 | Banks, Marion | 4/ 5/55 | 3/14/57 |
| 7 | Barnes, Sonore, (Rochon) | 4/55 | N.R. |
| 2942 | Blackwell, Mildred | 4/14/55 | 4/25/55 |
| 3564 | Bentley, Helen | 8/ 8/55 | ✓ |
| 2269 | Berry, Ida | 3/28/55 | ✓ |
| 3485 | Bickham, Amanda | 4/ 5/55 | Violence |

| Clock No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 101-3198 | Bowles, Doris Earline | 4/ 5/55 | 8/ 3/55* |
| 2718 | Bozonier, Marguerite | 4/ 5/55 | 8/ 5/55* |
| 949 | Brassett, Nita | 3/21/55 | ✓ (date (deceased) N.R. |
| 2839 | Breaud, Leonce | 4/ 5/55 | 12/ 4/58✓ |
| 3570 | Brimmer, Bell B. | 4/ 5/55 | 5/26/55 |
| 1853 | Brooks, Millie M. | 4/ 5/55 | 7/26/55 |
| 3456 | Brown, Bessie | 4/ 5/55 | 10/ 1/55 |
| 343 | Brown, Elvera M. | 4/ 5/55 | Violence |
| 4047 | Brown, Evangeline C. | 4/ 5/55 | 4/ 9/56 |
| 3773 | Brown, Idele | 4/ 5/55 | 7/25/55 |
| 170 | Brown, Marguerite | 4/ 5/55 | 7/19/55 |
| 3631 | Brumfield, Ruth | 4/ 5/55 | ✓ |
| 1790 | Bryant, Miriam | 4/27/55 | 5/12/55 |
| 92 | Burd, Phillip | 4/55 | N.R. |
| 3286 | Burkhalter, Ola Mae | 4/ 5/55 | 4/28/55 |
| 1512 | Burns, Elizabeth | 4/ 5/55 | 7/12/55 |
| 1509 | Burns, Hazel | 10/13/55 | 4/16/56* |
| 107 | Campbell, Rose | 5/18/55 | 4/15/56 |
| 3059 | Carr, Katie Ruth | 4/ 5/55 | 7/25/55 |
| 884 | Carter, Mary Louise | 4/ 8/55 | 4/25/55 |
| 590 | Cerf, Raymond | 4/19/55 | 5/19/55 |
| 2065 | Cheri, Miriam | 5/ 3/55 | ✓ |
| 2965 | Clay, Helen | 4/ 5/55 | 9/20/55 |
| 926 | Clements, Lillie Mae | 4/ 5/55 | 3/29/56 |
| 2279 | Coaston, Lucille | 4/ 5/55 | 7/11/55 |
| 2360 | Coleman, Wilhelmina (Woods) | 4/22/55 | 8/19/55 |
| 3329 | Columbus, Juanita | 4/ 5/55 | 8/ 1/55 |
| 2413 | Cooper, Bessie (Lee) | 4/ 5/55 | N.R. |
| 2326 | Cornish, Estella | 7/55 | N.R. |
| 2256 | Coston, Ethel | 4/ 5/55 | 5/23/55 |
| 2797 | Courseault, Shirley M. (Mercadel) | 4/ 8/55 | 5/16/55 |
| 1586 | Crawford, Shirley | 5/ 4/55 | 7/12/55 |

| Clock No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 3308 | Cropper, Clara | 4/ 5/55 | 4/25/55 |
| 4066 | Dandridge, Dorothy | 4/ 5/55 | Violence |
| 1243 | Darensbourg, Irma | 6/17/55 | 9/ 1/55 |
| 2675 | Davis, Elvera L. | 4/ 5/55 | 7/20/55 |
| 3595 | Davis, Georgiana | 4/55 | N.R. |
| 893 | Davis, Lenora | 3/17/55 | ✓ |
| 4031 | Davis, Thelma (Mathews) | 4/ 5/55 | 5/30/55 |
| 2401 | Delpit, Gloria | 4/ 5/55 | ✓ |
| 2082 | Delpit, Mathilda | 4/ 5/55 | 8/15/55 |
| 1507 | Denley, Alice T. (Gabriel) | 7/28/55 | ✓ |
| 1061 | Dixon, Gloria | 4/22/55 | ✓ |
| 3700 | Drake, Elizabeth | 4/ 5/55 | 4/25/55 |
| 963 | Ducket, Norma S. | 4/ 5/55 | 8/ 3/55 |
| 1501 | Dufauchard, Arthemise | 4/ 8/55 | 4/28/55 |
| 3335 | Dunn, Stella | 7/14/55 | 12/ 2/58 |
| 1189 | Eddington, Isabella | 4/ 5/55 | 4/25/55 |
| 1675 | Edgerson, Shirley | 1/11/55 | ✓ |
| 1066 | Evans, Alice H. | 4/ 5/55 | 7/12/55 |
| 812 | Farria, Vivian | 6/10/55 | 8/ 8/55 |
| 3743 | Ferguson, Pearl | 4/ 8/55 | 8/ 8/55 |
| 2465 | Fernandez, Minnie Mae | 4/ 5/55 | ✓ |
| 886 | Fontenberry, Cleo | 11/ 4/55 | 1/24/56 |
| 4119 | Foreman, Ethel M. | 7/11/55 | ✓ |
| 3426 | Fountain, Genevieve | 4/ 5/55 | 5/ 2/55 |
| 3137 | Francis, Edna | 4/ 5/55 | 8/ 2/55* |
| 664 | Franklin, Margaret | 4/ 5/55 | ✓ |
| 3220 | Franklin, Zearlee | 4/ 5/55 | 5/30/55 |
| 1935 | Fulton, Vera | 4/ 8/55 | N.R. |
| 2673 | Gabriel, Geneva | 4/ 5/55 | 7/25/55 |
| 649 | Gamble, Indiana (Plummer) | 4/ 5/55 | N.R. |
| 1303 | Gant, Mary | 4/ 8/55 | 7/18/55 |
| 3041 | Gilyot, Olga | 5/17/55 | ✓ |
| 3074 | Givens, Catherine | 4/22/55 | 6/ 3/55 |

| Clock No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 1778 | Goodman, Shirley | 4/55 | N.R. |
| 2464 | Green, Dorothy | 4/ 5/55 | 12/ 5/56 |
| 3444 | Green, Genevieve | 11/ 9/55 | 8/28/56 |
| 3711 | Green, Herise | 4/ 5/55 | 6/20/55 ✓ |
| 461 | Green, Jimmie Lou | 4/ 5/55 | Violence |
| 939 | Green, Louise | 4/ 5/55 | 4/28/55 |
| 1777 | Griffin, Audrey | 5/13/55 | Violence |
| 390 | Griffin, Ethel E. (Abernathy) | 4/ 5/55 | 4/26/55 |
| 1032 | Griffin, Joyce M. | 4/ 8/55 | 5/23/55 |
| 1092 | Guidry, Mary A. | 4/ 5/55 | 8/26/55 |
| 2951 | Hall, Catherine J. | 4/20/55 | 6/ 3/55 |
| 4089 | Hamilton, Veoila (Gibson) | 4/ 5/55 | 5/ 2/55 |
| 1908 | Harris, Anna Bell (Annie) | 8/55 | ✓ |
| 2704 | Harris, Freddie F. | 4/ 5/55 | 5/10/55 |
| 37 | Haynes, Guslavia | 4/ 5/55 | Violence |
| 3131 | Haynes, Ida | 4/22/55 | N.R. |
| 1004 | Head, Marguerite | 4/ 5/55 | 5/55 |
| 294 | Henderson, Victoria | 4/ 8/55 | ✓ |
| 1376 | Hicks, Rose Marie | 4/ 5/55 | Violence |
| 2862 | Hill, Bertha | 12/ 2/54 | 9/19/55 |
| 1772 | Holden, Helen | 4/ 5/55 | N.R. |
| 348 | Hollingshed, Jennie | 4/ 5/55 | 10/10/55 |
| 4083 | Hubbard, Ruth | 4/ 5/55 | 1/56 |
| 1994 | Hughes, Ninnie Bell | 4/ 5/55 | 7/26/55 |
| 2124 | Jackson, Eleanora | 4/ 5/55 | 8/15/55 |
| 2451 | Jackson, Louise | 4/22/55 | ✓ |
| 3459 | Jeff, Catherine (Clark) | 1/28/56 | ✓ |
| 1343 | Jennings, Ann | 3/ 1/55 | ✓ |
| 3186 | Johnson, Daisy (Parker) | 11/56 | 4/16/59 |
| 1610 | Johnson, Eunice | 8/54 | ✓ |
| 2873 | Johnson, Joseph | 4/55 | N.R. |
| 2411 | Johnson, Luella | 4/55 | 8/ 3/55 |
| 1832 | Johnson, Maybelle | 12/55 | Violence |

| Clock No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 476 | Johnson, Olivia | 3/ 1/55 | 4/26/55 |
| 791 | Johnson, Verna L. | 7/54 | 2/ 8/57 |
| 3255 | Johnson, Virginia | 4/ 5/55 | 8/ 5/55 |
| 1301 | Jolly, Ruth Joyce | 11/ 7/55 | 7/23/56 |
| 1837 | Jones, Edna | 4/ 5/55 | 4/28/55 |
| 3164 | Jones, Shirley Mae | 4/ 8/55 | 8/ 4/55 |
| 4046 | Joshua, Olivia | 5/10/55 | 6/ 6/55 |
| 3161 | Keeler, Johnnie Mae | 4/ 8/55 | 8/ 4/55 |
| 3777 | Kelly, Dorothy | 4/25/55 | 5/17/55 |
| 1596 | Kimble, Aletta | 4/ 5/55 | 8/55 ** |
| 2280 | King, Gloria | 6/56 | ✓ |
| 2577 | Labat, Valentine | 1/26/56 | 11/29/56 |
| 1664 | Thompson, Lila Coston | 4/ 5/55 | N.R. |
| 1446 | Lanier, Elmarie | 4/ 5/55 | Violence |
| 3702 | Lanier, Ernestine | 6/ 7/55 | Violence |
| 2927 | LaRose, Gertrude | 4/ 5/55 | 6/ 9/55 |
| 1161 | LaRoche, Sophie B. | 1/10/55 | 7/26/55 |
| 2417 | Larrieu, Louis | 4/22/55 | Violence |
| 3512 | Learson, Dorothy White | 4/55 | ✓ |
| 1379 | LeBeau, Edna | 4/ 5/55 | 5/ 5/55 |
| 2874 | Lee, Ruby | 4/ 5/55 | 4/26/55 |
| 1037 | Lewis, Audry Ann | 4/ 5/55 | 7/13/55* |
| 125 | Lesene, Amelia | 4/ 5/55 | N.R. |
| 870 | Lewis, Doris | 4/ 8/55 | Violence |
| 3045 | Lewis, Leonard T., Jr. | 4/ 5/55 | Violence |
| 1939 | Lockett, Marie G. | 4/ 5/55 | 8/ 3/55* |
| 3639 | Lodge, Kathleen | 4/ 5/55 | N.R. |
| 3117 | Lotten, Herbert | 7/55 | ✓ |
| 123 | Lyons, Lorraine | 4/ 5/55 | 5/11/56 |
| 1913 | McKinnie, Leotha | 4/28/55 | 5/12/55 |
| 178 | Magee, Vivian | 4/22/55 | 12/ 5/55 |
| 2912 | Margin, Eleanor | 4/ 5/55 | 8/ 8/55 |
| 1418 | Marshall, Dorothy | 4/ 5/55 | 4/28/55 |
| 3270 | Marshall, Willie Lee | 4/ 8/55 | 12/56 ** |

| Clock No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 185 | Martin, Eliska | 4/ 5/55 | 11/56 |
| 1821 | Martin, Noel | 12/54 | N.R. |
| 2987, 2990 | Matthews, Gloria | 5/ 5/55 | 7/25/55 |
| 2520 | Merridith, Geraldine | 4/ 5/55 | ✓ |
| 863 | Monette, Roberta | 4/ 5/55 | 4/25/55 |
| 2768 | Montgomery, Bessie | 8/55 | ✓ |
| 4055 | Moore, Crelia | 4/ 8/55 | 5/12/55 |
| 2285 | Moore, Leola | 5/ 4/55 | 8/ 4/55 |
| 890 | Morrison, Elouise (Epps) | 6/55 | N.R. |
| 1188 | Moten, Lena Dixon | 4/ 5/55 | 4/26/55 |
| 763 | Myers, Mandy (Thomas) | 2/ 4/55 | 4/ 5/55 |
| 3380 | Nash, Adele R. (Hall) | 4/ 5/55 | ✓ |
| 2645 | Newman, Marietta H. | 4/ 5/55 | 6/15/58** |
| 518 | Newton, Rosie Lee | 4/22/55 | 7/12/55 |
| 2129 | Nicholas, Clothide | 4/ 5/55 | 8/ 2/55 |
| 2603 | Ocampo, Deserdria | 7/21/54 | N.R. |
| 479 | Parker, Anna | 4/55 | 10/ 9/58* |
| 2805 | Parker, Shirley | 4/25/55 | 7/14/55 |
| 3234 | Parnell, Yvonne | 6/55 | ✓ |
| 847 | Patterson, Elnora | 4/ 5/55 | 6/15/55 |
| 2664 | Phillips, Louise Hearns | 4/ 5/55 | 7/26/55 |
| 3253 | Penn, Gloria Mae | 4/ 5/55 | 5/ 2/55 |
| 740 | Perez, Marion | 1/19/55 | 2/10/55 |
| 83 | Powell, Melvina | 6/ 6/55 | 7/25/55 |
| 1278 | Proctor, Mildred | 4/55 | 4/ 3/56 |
| 1843 | Randall, Edna | 3/18/55 | 5/25/55 |
| 2463 | Rapp, Gloria (Bearett) | 4/ 8/55 | 4/28/55 |
| 3448 | Ray, Wilhelmina | 4/ 5/55 | ✓ |
| 240 | Recasner, Isabelle (Jenkins) | 4/ 5/55 | ✓ |
| 3123 | Reed, Dorothy K. | 5/55 | ✓ |
| 3116 | Reeves, Nerlie | 4/ 8/55 | 6/15/55 |
| 3064 | Richardson, Rose H. | 4/ 5/55 | 7/12/55 |
| 3416 | Robertson, Adele L. | 4/ 5/55 | ✓ |

| Clock No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 3548 | Rollins, Geraldine | 4/ 8/55 | 8/ 3/55 |
| 1959 | Rubit, Dorothy B. | 4/ 5/55 | 8/23/56* |
| 3583 | Rubit, Dorothy P | 3/31/55 | 7/13/55 |
| 3153 | Richard, Pearl | 4/15/55 | 6/ 6/55 |
| 6 | Sanders, Ada | 4/15/55 | 10/ 3/55 |
| 1001 | Sawyer, Ellen | 1/ 8/55 | 5/11/55 |
| 1020 | Scott, Dolores | 4/ 5/55 | 4/28/55 |
| 2131 | Scott, Shirley Mae | 12/ 7/55 | 4/16/56 |
| 1985 | Seaton, Rebecca | 4/19/55 | 5/16/55 |
| 3692 | Shelton, Clara Mae | 4/ 5/55 | 7/25/55 |
| 3427 | Simpson, Lillie Mae | 4/ 8/55 | 8/ 1/55 |
| 2905 | Smith, Leonardine | 4/ 5/55 | Violence |
| 3401 | Smith, Octavia | 4/ 5/55 | Violence |
| 3083 | Sonia, Rosemary | 6/ 6/55 | 7/29/55 |
| 2363 | Stewart, Millie L. | 4/ 5/55 | 7/25/55 |
| 1 | Toplin, Dorothy Mae (Duncan) | 4/18/55 | 5/ 3/55 |
| 2615 | Tate, Mary Hickman | 4/ 8/55 | 4/25/55 |
| 3 | Taylor, Mary | 7/55 | N.R. |
| 2078 | Thomas, Luvenia | 4/ 5/55 | 7/13/55 |
| 769 | Thomas, Mary | 4/ 5/55 | 6/13/55 |
| 2844 | Thomas, Mignonette | 4/55 | 6/57 |
| 1815 | Thornton, Jesenu A. | 4/ 5/55 | 8/15/55 |
| 2930 | Thornton, Rosalie | 4/55 | N.R. |
| 3203 | Valentine, Hilda | 4/ 5/55 | 7/13/55 |
| 2469 | Wade, Maud | 7/27/55 | 9/14/55 |
| 2182 | Walker, Hattie | 4/ 8/55 | N.R. |
| 91 | Walker, Marjorie | 3/22/55 | ✓ |
| 2552 | Wallace, Alma | 11/28/55 | ✓ |
| 2758 | Washington, Beatrice | 4/ 8/55 | 8/ 3/55 |
| 3004 | Washington, Dorothy | 2/16/55 | 6/ 3/55** |
| 1395 | Washington, Lula Mae | 4/ 5/55 | Violence |
| 768 | Watford, Fannie Mae | 4/ 5/55 | ✓ |
| 2803 | Watson, Mabel | 4/27/55 | 7/25/55 |

| Check No. | Name | Date of Application | Date of Reinstatement |
|---|---|---|---|
| 1825 | Weatherby, Dorothy | 4/55 | N.R. |
| 1985 | White, Beatrice | 4/ 5/55 | ✓ |
| 708 | Williams, Alice | 4/ 5/55 | 5/30/55 |
| 1982 | Williams, Helen | 4/ 8/55 | 7/16/55** |
| 934 | Williams, Marion | 4/ 5/55 | 1/24/56 |
| 39 | Woodfork, Yvonne | 4/ 5/55 | 7/25/55 |
| 692 | Woodridge, Estella | 4/55 | 1/ 8/56 |
| 3294 | Zeno, Audrey | 4/ 5/55 | 8/ 9/55 |

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

October 20, 1961

Re: J. H. Rutter-Rex Mfg. Co., Inc.
Cases Nos. 15-CA-721 and 723

Henry Read, Esq.
Montgomery, Barnett, Brown & Read
National Bank of Commerce Building
New Orleans, Louisiana

Dear Mr. Read:

Mr. Gilbert P. Cohen has resigned his position with this agency and I have been assigned to the Rutter-Rex case in his place.

I have attempted to familiarize myself with the rather voluminous files and in so doing, I have noticed one particular problem that appears paramount at this moment. On August 28, 1961, Mr. Cohen sent certain information to you and requested your position by October 2, 1961. Your letter of September 28, 1961, stated that the matter had your attention, but you could not furnish the Company's position by October 2, 1961. The file reflects that on October 2, 1961, you telephonically advised Mr. Cohen that the necessary compilations should be completed within a week to a week and a half, or at that time you would be able to let us know when you would be finished. On October 12, 1961, in a telephone conversation, it is my understanding that you stated your position would be forthcoming in a few days.

I am well aware of the magnitude of your task, but ours is also great and for us to give the information you

will furnish the attention that it deserves, we will have to have it by November 3, 1961.

I will certainly look forward to meeting you sometime in the future.

Very truly yours,

/s/ John H. Hector, Jr.
JOHN H. HECTOR, JR.
Attorney

LAW OFFICES
MONTGOMERY, BARNETT, BROWN & READ
804-807 National Bank of Commerce Building
New Orleans 12, La.

October 27, 1961

Richard B. Montgomery
Walter M. Barnett
Wood Brown
Henry J. Read
John Phelps Hammond
Peter H. Beer
John Walker Read, III-1926-1961
Albert Mintz

John B. Gooch, Jr.
Wood Brown, III

National Labor Relations Board—15th Region
820 Lowich Building
New Orleans 13, Louisiana

Attention: Mr. John H. Hector

Re: J. H. Rutter-Rex Mfg. Co., Inc.
Cases 15-CA-721 and 723

Dear Sirs:

In your letter of August 28, 1961, you ask the company to comment on the accuracy of the list which was submitted with your letter and to state its position generally regarding its reinstatement obligations under the terms of the decree. It is the company's position that it has fully complied with the requirements imposed upon it by the opinion by the Fifth Circuit of Appeals dated June 10, 1957. Under date of November 7, 1957, the company contacted The Board and requested that any instance of a failure to fully comply with the order be brought to the company's attention promptly "so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree". The company received no complaint from The Board or from

any individual employee. There was no suggestion that the Board still considered this an open case until March, 1960.

The records of the company which have been made available to you indicate beyond question the company's good faith effort to comply with the decree by an orderly re-hiring procedure which offered employment to all strikers seriously interested in re-employment as soon as conditions reasonably permitted. The opinion of the Court enforcing the decree recognized the validity of the company's arguments against requiring literal compliance with the 5-day re-hiring provision in the Board order, and preserved to the company the right to illustrate the impossibility of literal compliance because of a lack of work in the plant, or because of the impossibility of rebuilding a balanced line operation without some delay. The Court also reserved to the company its right to justify a refusal to re-hire an employee who had engaged in violence during the strike.

In view of the company's obvious efforts to rehire as



many returning strikers as possible as quickly as possible, which efforts resulted in the vast majority of the strikers being offered employment during the spring and summer of 1955, the company hopes that the Board will agree that compliance with the Court's requirement has been satisfactorily effected.

As the writer explained to Mr. Cohen in our conversations of October 2nd and 12th, it is not possible in this letter to state in complete detail the company's position regarding each name on the list submitted with your letter of August 28th. However, we will refer specifically to those employees for whom you show no date of reinstatement. As to those employees who were reemployed but who were not offered employment within 5 days of appli-

cation, the company's records show that delay was due to a number of factors. Some government contracts were completed during the strike. Others were cancelled by the Government. Large accounts were lost, never to be regained. The plant was operating at absolute capacity before the strike, and it required time to rebuild this volume after the strike. In some instances, the work was on hand but the company was delayed in locating key personnel required to fill a complete "line". The administrative problems incident to "rebuilding" the plant were simply not susceptible of solution in a week or a month.

The company was not obligated to rehire those employees who engaged in the violence which led to the issuance of an injunction against violence and picketing in Case # 333-832 of the Docket of the Civil District Court for the Parish of Orleans entitled "*J. H. Rutter-Rex Manufacturing Company, Inc.* vs. *J. H. Youngdahl et als*". The employees who were not rehired for this reason are the following:

Bickman, Amanda
Brown, Elvera M.
Dandridge, Dorothy
Green, Jimmie Lou
Griffin, Audrey
Harris, Freddie F.
Hicks, Rose Marie
Johnson, Maybelle
Lanier, Elmarie
Lanier, Ernestine
Larrieu, Louis
Lewis, Doris
Lewis, Leonard T., Jr.
Smith, Leonardine
Smith, Octavia
Washington, Lula Mae

We note that you have listed April 5, 1955 as the "date of application" for some 108 employees and we accordingly assume that the Board is contending that the Union's letter of that date terminating the strike and submitting a list of employees who desired to return to work constituted a legal application for employment under the



opinion of the Court of Appeals. There is no evidence in the company's records of any applications actually having been received from any employees on April 5, 1955, the

date on which the Union elected to terminate the strike. The company does not consider the Union's submission of a list of names as an application which gave rise to an obligation on the part of the company to immediately re-hire the employees on the list. The company responded to the letter, suggesting that those employees who were seriously interested in re-employmnt come to the plant and submit applications. The company is prepared to demonstrate that the Union list was not limited to those employees who seriously sought re-employment, as the company contacted many names on the list from time to time and was advised that they had no interest in returning to work. By submitting an inaccurate list, the Union complicated the re-hiring process considerably. Since many of the names on the list submitted by the Union were not interested in re-employment, the company could not rely on the fact that they were serious applicants in its attempt to re-build its line operation, each part of which depended upon every other part. The only way that the company could rely on the availability of any returning striker was after she showed her interest in returning to work by applying for a job.

After termination of the strike, no applications were ever received from the following:

Alexcee, Irene
Allen, Victoria
Barnes, Sonore (Rochon)
Breaud, Leonce
Cooper, Bessie (Lee)
Cornish, Estella
Davis, Georgiana
Fulton, Vera
Gamble, Indiana (Plummer)
Haynes, Ida
Lesene, Amelia
Lodge, Kathlees
Martin, Noel
Morrison, Elouise (Epps)
Ocampo, Desrderia
Taylor, May
Thompson, Lila Coston
Thornton, Rosalie
Walker, Hattie
Weathersby, Dorothy

The following is reflected with reference to the balance of the names on your list for whom no date of reinstatement is indicated:

*Bentley, Helen*

Company's records confirm that she re-applied on 8/8/55, over 4 months after the strike terminated. She was sent a postcard and requested to come to work on

9/19/55, but she did not come in to the plant. While it is not feasible to go into a consideration of each operation to which we will hereinafter make reference, and using this employee only as an example, the company is prepared to show that at the time of this employee's application the employees on her operation had equivalent employment rights as did the applicant. It is the company's position in this case and all other cases that it was not required to hire an employee unless there was work for her to do. This employee was working at another plant in the City at the time the strike terminated and continued to work at that plant for sometime after the strike terminated. This employee waited 4 months after the strike was over before she re-applied.

*Berry, Ida*

This employee applied, as your record indicates, on 3/28/55, before the strike terminated. Thus, at the time she applied, she was acting in concert with the Union in an effort to prevent the company from being able to employ anyone. She never re-applied after the strike was terminated.

*Brassett, Nita*

She applied on 3/21/55, before the strike was over. She never re-applied after the strike. She was employed as a "shirt wrapper". There has been only one employee on this operation since 1955, and she is a returning striker.

*Brumfield, Ruth*

This employee is shown on your list as having applied on 4/5/55. The correct date of application is 4/15/55. She was sent a card in 7/55 to report to work on 7/19/55, but she never came in.

*Cheri, Miriam*

She applied 5/3/55. Sent card and requested to come in on 3/29/56. No reply.

*Davis, Leonora*

Applied 3/17/55, before the strike was over. Never re-applied thereafter.

*Delpit, Gloria*

You indicate application on 4/5/55. The correct date of her application is 5/11/55. She was a learner who had only worked for the company about a week before the strike. She was sent a letter to report on 7/20 and did report on 7/26/55. Her operation was "set front pocket



facing". There were four employees on this operation in 5/55, three of whom were strikers who had returned to work. The one exception was L. Bickham, and she was terminated in 6/55 because there was work for only three on the operation.

*Denley, Alice*

She applied on 7/28/55 and was sent a card to come in to work on 4/3/56. At the time of the termination of the strike she was employed at Louisiana Pants Company and she remained in that job after the strike terminated. It was not until she was laid off at Louisiana Pants in 7/55 that she applied at Rutter-Rex. Her operation was "serge fronts". In 7/55 there were five employees on this operation, all of whom were strikers who had returned to work. The company had laid off the replacements hired during the strike on this operation in order to afford employment to the returning strikers.

*Dixon, Gloria*

The date of application shown on your list is 4/22/55. The correct date is 5/10/55. She was a learner who had only worked three weeks before the strike. Her operation was "topping". In 5/55 there were three on this operation, two of whom were strikers who had returned and who had been employed, and one replacement. All were very productive. This applicant was a learner whose production was below the minimum.

*Edgerson, Shirley*

Applied 1/11/55, before strike was over. Never reapplied after strike was ended. She was called on the telephone on 2/3/55 and asked to return to work, but she never came in.

*Fernandez, Minnie Mae*

The correct date of her application was 4/18/55. A letter was written to her asking her to come in on 7/20/55, at which time the company was attempting to form a new line. The balance of the line did not come in on that date, and no employment was available on that date. She was sent for again in 1956, by card, and did not come in.

*Foreman, Ethel*

Her operation was "button and button hole back pockets". She was a learner who had worked for the company only a few days before the strike. In 7/55 all operators on this classification were strikers who had returned t, work.



*Franklin, Margaret*

Applied 4/18/55. Contacted by letter 7/20/55. No answer. Company tried to contact her by phone as well, unsuccessfully.

*Gilyot, Olga*

Applied 5/17/55. Called in 7/27/55. This employee advised that she was working at another plant and did not wish to return to Rutter-Rex.

*Harris, Anna Bell*

Your list indicates an application in 8/55. Correct date of her application is 8/1/57, over 2 years after the termination of the strike. She was employed elsewhere at the termination of the strike and elected to retain that job rather than re-apply at Rutter-Rex.

*Henderson, Victoria*

Applied 5/17/55, rather than 4/8/55 as your list indicates. She was sent a letter of 5/20/55 and called in and advised that she had another job and did not wish to return to work.

*Jackson, Louise*

Your list shows date of application 4/22/55. The correct date if 5/25/55. She was contacted by phone and requested to return to work and advised that she could not return for several weeks because her present job could not be terminated immediately. She was never heard from thereafter.

*Jeff, Catherine*

She did not apply until about 9 months after the strike was terminated.

*Jennings, Ann*

She applied on 3/1/55, before the strike terminated. She did not re-apply thereafter.

*Johnson, Eunice*

The company has no record of an application from this employee at or near the date indicated in your list. However, this employee did apply 4/11/55, shortly after the

termination of the strike. She had worked for the company only 4 weeks. Prior to the strike she was a learner on "buttonhole" operation. Her earnings showed very poor production. Before the strike the company had five lines in operation and only three after the strike, with



one of this classification in each line, all filled by old employees who had been strikers and had returned to work. She was not rehired.

*Johnson, Maybelle*

This employee engaged in violence during the strike. However, we note further that there was no application received from her until 1/58. She told the company representatives that she was not interested in returning to work, that she had a job, and that she was only applying because the Union had instructed her to fill out an application.

*King, Gloria*

You indicate an application in 6/56. The company has no record of an application on that date. This employee was originally hired 4/12/54, about a week before the strike and was a learner on the "set sleeve facing" operation. Her operation was a government operation which terminated during the strike. Furthermore, this employee quit her employment 4/20/54, the day before the strike. She has never reapplied.

*Learson, Dorothy White*

You indicate an application date of 4/55. The correct date is 10/6/58, on which date she advised the company that she had been having a family since the strike and did not want to work until her children were old enough to live with her mother.

*Montgomery, Bessie*

You indicate application in 8/55. The company has undated application which, to the best of the company's knowledge, was submitted sometime during the year 1957. This employee stated that she was employed at another local factory from 6/55 to 6/57.

*Nash, Adelle*

Advised the company 5/1/55 that she was employed as a nurse and did not wish to return to work. The company sent her a letter and requested her to report for work 7/1/55. She called in and said she was not interested.

*Parnell, Yvonne*

You indicate application in 6/55. The company has no application on this employee, but a note in her file indicates that she applied in 9/55, approximately 5 months after the strike ended. She was on the "flat stitch" operation, a government operation which was terminated during the strike.



*Ray, Wilhemina*

Applied 4/21/55. She was a learner prior to the strike on the "button shoulder strap" operation. This operation was limited to government contract terminated during the strike.

*Recesner, Isabel*

Applied 7/24/55. Was called for employment 12/28/55 and advised that she would "think it over". She called back the next day and stated that her child was ill and she could not come in. She was called again 2/10/56 and she advised that she was otherwise employed and did not wish to return.

*Robertson, Adelle*

Applied 5/20/55, but was pregnant on that date. Did not reapply until 10/11/55 for "pressing" operation. All employees on operation were returning strikers.

*Walker, Marjorie*

Never applied after the termination of the strike.

*Wallace, Alma*

Applied 11/28/55, 7 months after termination of strike. She was on "pressing" operation already filled by returning strikers.

*Wotford, Fannie Natt*

Applied 4/19/55. Sent letter to come in 8/3/55. No reply.

*White, Beatrice*

Applied 4/20/55. Sent letter 7/22/55. No reply.

The writer will be pleased to discuss these matters further with you at our mutual convenience.

Very truly yours,

MONTGOMERY, BARNETT, BROWN & READ

By: (Signed) HENRY J. READ
HENRY J. READ

BCC: J. H. Rutter-Rex Mfg. Co.
P. O. Box 3068
New Orleans 17, La.

[SEAL]

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana

Telephone 529-2411
Night 524-8320

November 16, 1961

Re: J. H. Rutter-Rex Mfg. Co., Inc.
New Orleans, Louisiana
Case No. 15-CA-721
Case No. 15-CA-723

Henry Read, Esq.
Montgomery, Barnett, Brown & Read
National Bank of Commerce Building
New Orleans, Louisiana

Dear Mr. Read:

I wish to call your attention to paragraph IV, B of the Backpay Specifications and Notice of Hearing in the above-captioned cases. As you will note, it is our contention that the employees named therein have never been properly reinstated in accordance with the Board Order and Court Decree. As a result of this, backpay is still accruing for those named individuals and until a proper offer of reinstatement is made to each of them, no final computation of backpay due can be made with respect to these employees. Such an offer would toll any further liability which might arise based on our contentions.

In the event you desire to discuss with us any aspect of this case or any allegation in the specifications, we will be glad to meet with you for this purpose. If you desire such a meeting, do not hesitate to call upon us.

Very truly yours,

/s/ John F. LeBus
JOHN F. LEBUS
Regional Director

J. H. RUTTER-REX-MANUFACTURING CO.
INCOPORATED
Work Shirts ——— - - - ——— Work Pants
*for the Wholesale Trade*

Main Office Phone VAlley 2484

P.O. Box 3068 Bywater Station
New Orleans

SUPPLEMENTAL EXHIBIT II (b)

July 15, 1955

Dear Madam:

Since the termination of the strike, we have been making the adjustments in our operation necessary to rehire all strikers who desire to return to work. However, in contacting the former strikers, we have found that many who applied for work are not interested in returning to work, or, for some personal reason, cannot work at this time.

Accordingly, in order to assist us in rehiring strikers who want to return to work, it would be appreciated if you will contact the personnel office on ..... 1955 and advise whether you are available for work at this time. We will be able to place you on the payroll on that date, or shortly thereafter, depending on the response to this letter.

Yours very truly,

J. H. RUTTER-REX-MFG. CO., INC.

/s/ E. J. Rutter
E. J. RUTTER

EJR/jg

New York Sales Office 5812 Empire State Bldg.
Phone CHickering 4-2561

SUPPLEMENTAL EXHIBIT II (c)

AFFIDAVIT

ORLEANS PARISH
LOUISIANA

BEFORE ME, the undersigned authority, personally came and appeared EUGENE J. RUTTER who, after being duly sworn, deposed and said that he is the President of J. H. RUTTER-REX MANUFACTURING COMPANY, INC., which is the respondent referred to in Case No. 16422 pending on the docket of the UNITED STATES COURT OF APPEALS, Fifth Circuit, entitled *National Labor Relations Board* v. *J. H. Rutter-Rex Manufacturing Company, Inc.*

The following members of the supervisory staff of the New Orleans plant of the company who were employed in the operation of said plant in April, May and June 1955, are no longer in the employ of the company:

Lucille Bellou
Alice Padel
Myrtis Bentley
Sally Trepani
Gertrude Buddy

In addition, many of the persons who were employed on the various operations in the manufacturing lines of the company as of April, May and June, 1955 are no longer employed by the company and their whereabouts are unknown to the officials of the company as of this date. Because of the passage of time and the absence of the aforesaid supervisors and employees, it is no longer possible to reconstruct accurately the problems which were involved in rebuilding the production lines of the plant upon the termination of the strike in April 1955, as those problems related to the rehiring of a particular applicant with a particular skill on a particular date.

Deponent further avers that the company, and its representatives, have made a diligent effort to obtain a tran-

script of the trial record in Case No. 333-832 of the docket of the Civil District Court for the Parish of Orleans, Louisiana (Division D Docket 5) entitled *J. H. Rutter-Rex Manufacturing Company, Inc.* v. *James E. Youngdahl, et als,* in the trial of which the plaintiff submitted proof of various accounts of violence engaged in by striking employees whom the company has since refused to reinstate. The trial in said case took place in November and December of 1954. Four court reporters took stenographic notes of the trial and each has advised the company's representatives that their notes are no longer available for transcription at this time. Without a reference to said record, the company is not in a position to document the acts of violence upon which the injunction issued to the same extent and with the same accuracy as the company was able to do at the trial of said litigation.

/s/ Eugene J. Rutter

SWORN TO AND SUBSCRIBED
January 31, 1962.

/s/ Albert Mintz
Notary Public
(ALBERT MINTZ)

SUPP. EXH. II (c)

APPENDICES TO BRIEF OF NATIONAL LABOR RELATIONS BOARD ON MOTION TO ENJOIN BACKPAY PROCEEDING

STATE OF LOUISIANA, )
) ss:
PARISH OF ORLEANS, )

## AFFIDAVIT OF JOHN F. LEBUS

Comes now JOHN F. LEBUS, and being first duly sworn on oath, deposes and says:

1. He is the Regional Director of the 15th Region of the National Labor Relations Board, and as such, has full knowledge of the facts set forth herein.

2. At the time *N.L.R.B.* v. *Rutter-Rex Mfg. Co.*, 245 F. 2d 594 (C.A. 5), was decided, the New Orleans Regional Office of the Board, in common with the rest of the agency, was laboring under an extremely heavy case load. Our legal staff consisted of only six attorneys (as compared with 12 at present), yet we were responsible for the compliance aspects of such cases as *N.L.R.B.* v. *Lion Oil Co.*, 245 F. 2d 376 (C.A. 8); *N.L.R.B.* v. *Brown & Root*, 203 F. 2d 139 (C.A. 8); *N.L.R.B.* v. *W. C. Nabors Co.*, 196 F. 2d 272 (C.A. 5), cert. den. 344 U.S. 865, and *B.V.D. Company*, 110 NLRB 1412. These cases, all of which were decided prior to *Rutter-Rex*, involved over 665 backpay claimants. Accordingly, when the decision in *Rutter-Rex* came down, we were faced with the task of investigating the backpay and reinstatement rights of over 1,200 persons, and, either by litigation or settlements, of securing compliance with the Board orders and court decrees imposing the backpay and reinstatement obligations. Under these circumstances, *Rutter-Rex* could not have been processed more quickly without prejudice to cases which had been pending for considerably longer periods of time.

Moreover, in the period from July 1, 1957, to December 31, 1961, which is roughly the period of time during which *Rutter-Rex* was being worked on, over 2,200 other cases

were filed in our office, some of which involved the investigation and trial of matters of considerable complexity and importance. A sampling of some of these cases which eventually reached the Courts of Appeals include: *Seafarers International Union* v. *N.L.R.B.*, 265 F. 2d 585 (C.A.D.C.); *Superior Derrick Corp.* v. *N.L.R.B.*, 273 F. 2d 891 (C.A. 5), cert. den. 364 U.S. 816; *N.L.R.B.* v. *Intracoastal Terminal, Inc.*, 286 F. 2d 954 (C.A. 5); *International Union of United Brewery Workers* v. *N.L.R.B.*, 49 LRRM 2065 (C.A.D.C.); *Amalgamated Clothing Workers* v. *N.L.R.B.*, 49 LRRM 2599 (C.A.D.C.); *West India Fruit and Steamship Co.*, 130 NLRB 343, Petition for Enforcement docketed, No. 18,929 (C.A. 5), May 29, 1961.

The problems involved in *Rutter-Rex* itself were substantial. Since, as is the usual practice in such cases, neither the Board's order nor the Court's decree enumerated the specific individuals encompassed therein, but simply ordered the company to reinstate and make whole all the strikers, it was necessary for this office to locate and interview approximately 600 claimants to determine which of them would be entitled to offers of reinstatement and/or backpay. In addition, the company's payroll records, social security records, and personnel records had to be examined and analyzed to determine the rights of individual strikers to reemployment, and the gross backpay due those so entitled. As a result of these investigations, we were able to eliminate the nonmeritorious backpay claims of over 360 individuals. Finally, it was necessary, through interviews and examination of social security records, to determine the interim earnings of those employees entitled to backpay in order that these amounts might be credited to the company as a set-off against its backpay liability.

The backpay specification was issued in this case on November 16, 1961, scheduling a hearing thereon for January 29, 1962, and requiring the Company's answer within 15 days after issuance of the specification. On November 29, 1961, the Company requested and was granted an extension of time for filing its answer to January 4, 1962.

Thereafter, the Company made no further request for an extension of time for filing an answer or for a postponement of the scheduled hearing. Indeed, the Company filed no further motions of any nature with our office concerning the backpay proceedings. Any meritorious request for additional time to answer the specification, to prepare for the hearing, etc., would have been, and will be honored by this office pursuant to the authority set forth in the Board's Rules and Regulations, Sections 102.55-102.56.

FURTHER, Affiant Sayeth not.

JOHN F. LEBUS,
Regional Director, 15th Region,
National Labor Relations Board.

Subscribed and sworn to before me this 2nd day of March, 1962.

[SEAL]

LOUIS A. FUSELIER,
Notary Public,
Parish of Orleans,
State of Louisiana.

My Commission is issued for life.

August 21, 1957

J. H. RUTTER-REX MANUFACTURING CO.
*New Orleans, Louisiana*
15-CA-721 and 15-CA-723

J. H. Rutter-Rex Manufacturing Company
3725 Dauphine Street
New Orleans 17, Louisiana

GENTLEMEN:

You have recently received the Decree of the Fifth Circuit Court of Appeals in the above case.

I should like to offer the assistance of this office in effecting prompt compliance with the requirements of this

Decree. William W. Fox has been assigned to assist you in this connection.

Kindly advise Mr. Fox how many copies of the Notice you will need in order to comply with the terms of the Decree and he will have the required number prepared for you.

I trust that within the time specified in the Decree we will be able to report to the Board that you have taken the required action.

When you have fully complied with the affirmative terms of the Decree and there are no violations of its negative provisions, you will be notified that the case has been closed. Until you receive such notice you will know that the case still remains open for all purposes as awaiting compliance.

Very truly yours,

CHARLES M. PASCHAL, JR.,
Acting Regional Director.

cc. Mr. Philip Lampert, Reg. Counsel
Amal. Clothing Workers of America
333 S. Ashland Blvd.
Chicago 7, Illinois

cc: Messrs. Samuels, Brown, Herman, Scott & Young
12th Floor, Electric Building
Fort Worth 2, Texas

cc: Messrs. Dart, Guidry, Price & Reed
1008 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

NATIONAL LABOR RELATIONS BOARD
FIFTEENTH REGION
820 Lowich Building, 2026 St. Charles Avenue
New Orleans 13, Louisiana
Telephone MAgnolia 7695

April 29, 1957

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.
*New Orleans, Louisiana*
15-CA-632

J. H. Rutter-Rex Manufacturing
Company, Inc.
3725 Dauphine Street
New Orleans 17, Louisiana

GENTLEMEN:

The Respondent having satisfactorily complied with the affirmative requirements of the Decree in the above-entitled case, and the undersigned having determined that Respondent is also in compliance with the negative provisions of the Decree, the file in this matter is hereby

closed, and will be continued as a closed case so long as the present status of compliance continues.

Very truly yours,

JOHN F. LEBUS,
Regional Director.

cc: Executive Secretary, NLRB
Washington, D.C.

cc: Amalgamated Clothing Workers of Am. AFL-CIO
2106 St. Bernard Ave.
New Orleans, Louisiana

cc: Mr. Philip Lampert, Regional Counsel
Amalgamated Clothing Workers of Am. AFL-CIO
333 S. Ashland Blvd.
Chicago 7, Illinois

cc: Mr. Henry J. Reed
Montgomery, Barnett, Brown, Sessions & Reed
804 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

cc: Samuels, Brown, Herman & Scott
Attorneys at Law
1210 Electric Building
Fort Worth 2, Texas

# IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

No. 16422

NATIONAL LABOR RELATIONS BOARD

*vs.*

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

## BRIEF IN SUPPORT OF MOTION TO STAY

MONTGOMERY, BARNETT, BROWN & READ
HENRY J. READ

804 National Bank of Commerce Bldg.
New Orleans 12, Louisiana

BROWN, HERMAN, SCOTT & YOUNG
JOHN M. SCOTT

203 Fort Worth Club Bldg.
Fort Worth 2, Texas
*Attorneys for J. H. Rutter-Rex Manufacturing Company, Inc.*

Filed, Feb. 2, 1962, U. S. Court of Appeals,
Edward W. Wadsworth, Clerk.

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IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16422

NATIONAL LABOR RELATIONS BOARD

*vs.*

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

# BRIEF IN SUPPORT OF MOTION TO STAY

*To Said Honorable Court:*

## INTRODUCTORY STATEMENT

The Motion before the Court asks for relief in four numbered paragraphs. The fourth paragraph of the relief sought has been granted by the Court in staying the proceeding in question until the Court could act on the Motion. After further study of the law applicable to the Motion, Movant has concluded that the third paragraph requesting the appointment of a Master is not timely, inasmuch as no proceeding to adjudge the Movant in contempt of the order of the Court has been filed. Therefore this brief will concern itself with paragraphs 1 and 2 of the relief sought, which may be summarized as requesting the Court to determine that the proposed hearing should not now be held in view of the Board's delay of more than six years, from April of 1955, when the strikers began to return to work, until December, 1961.

The Motion does not seek to prevent any other proceeding or steps which the Board may wish to take other than the holding of a back pay specification hearing under the order and notice of the Board which is the subject of the Motion.

We begin by stating to the Court that no decision of the Federal appellate judiciary has heretofore considered

a motion of this type, asking that the National Labor Relations Board be stayed from holding a back pay hearing where the Board had ordered that employees be reinstated and the Court had enforced the order. We believe that the reason no similar motion has been presented to any Circuit Court is that nowhere in the history of the proceedings of the National Labor Relations Board has there been a set of facts which parallel the unconscionable and unwarranted delay of more than six years which has resulted in the problems which are involved.

However respondent submits that the statutes and decisions alike intend that this back pay proceeding may not be conducted by the Board so long after the events out of which the controversy arose and we shall here demonstrate their applicability to this Motion.

## STATEMENT OF CASE

The case is detailed under oath in the Motion, and the Court is requested to carefully examine the Motion beginning at paragraph number 3 for those facts which would ordinarily be supplied by the printed record. We shall take the liberty, as our argument progresses, of stating the facts as they appear in the Motion and in the Exhibits where necessary to make the argument clear.

This proceeding arises upon a Motion filed by Rutter-Rex Manufacturing Company to stay a hearing ordered by the National Labor Relations Board by a notice dated November 16, 1961, setting a hearing on a back pay specification for January 29, 1962. This Court entered an order January 3, 1962, granting a temporary stay in the proposed hearing and in all proceedings pursuant to the Board order of November 16, 1961, until this Court could determine whether the Motion to stay the proceeding permanently should be granted.

The strike which was discussed in the Court's opinion of June 10, 1957, had ended by a letter of the Union addressed to the company dated April 4, 1955, shown in the Motion as Exhibit A. The company replied by letter dated April 11, 1955, Supplemental Exhibit II, requesting that the strikers come in at the rate of 20 per day, as that was the maximum at which they could be processed

in an orderly way. The strikers did so come in, and the company began returning them to work. It is not contended that the company has refused expressly to permit them to return to work. The dispute arises, we believe, out of the complexities of returning them to the work which are set forth in the Motion in paragraph 12.

At the time, when the strike ended, the Board had in process its case which culminated in an order of the Board issued February 13, 1956, and which was enforced by this Court on June 10, 1957, by its opinion recorded as *National Labor Relations Board* vs. *J. H. Rutter-Rex Manufacturing Company, Inc.*, 245 Fed. 2d 594. The Court in its opinion, discussing the re-employment rights of the strikers, and the calculation of lost pay, if any, said that such matters could be resolved

> "Either in further administrative proceedings before and through the Board or in direct contempt proceedings, if brought before us, for failure to comply with our order decreeing enforcement."

The company posted the notices required by the Court's decree, and entered upon the directed bargaining with the Union. The Board has not complained either formally or informally that the company did not comply fully with the order of the Board and the decree of the Court insofar as the posting of notices and the bargaining in good faith requirements are concerned. With respect to complying with the decree of the Court concerning reinstatement of the strikers, the sworn motion on file before the Court narrates, beginning with paragraph 12, the respondent's efforts to reinstate the strikers, which had begun in April of 1955.* Following the decree of the Court the Board requested information from the company concerning the number of returning strikers who had been reinstated, and the company supplied this information by letter dated October 24, 1957, shown in the Motion as Exhibit G, and by a list of names attached to the Motion as Exhibit G1.

---

* Supplemental Exhibit II(b) is a copy of respondent's form letter to strikers asking them to cooperate in the rehiring program by contacting the personnel office if they were available for work.

While the order of the Board, which was enforced by the Court, had directed that the returning strikers be reinstated within five days, the company had argued to the Court that literal compliance with the Board order was then impossible, and that the order foreclosed certain questions which were relevent to reinstatement. In response to this argument the Court said in part

> "The numerous questions which the employer insists now plague it, such as the possibility of non-strikers voluntarily terminating employment with subsequent replacement during the strike, the availability of work at various times considering the nature of these manufacturing operations, the number of strikers who may have declared their unwillingness to return to work, the calculation of the lost pay if any, the misconduct of some specified strikers which might afford a basis for denying reinstatement, are not foreclosed. Their resolution can come either in further administrative proceedings before and through the Board or in direct contempt proceedings, if brought before us, for failure to comply with our order decreeing enforcement."

The Court thus contemplated the difficulty of literal compliance with the Board's order and further contemplated prompt administrative action by the Board to consider whether the company was justified in any deviation from literal compliance with the five day reinstatement order of the Board. If the Court had not contemplated such difficulties and had enforced the Board's order without reference to the company's defences, the company would have at least known what it was required to do. Had the company seen fit to ask the Supreme Court to review the enforcement order it could have pursued its remedy in that direction. Or if not, it would have set about rehiring every striker it could find; whether she had engaged in violence or not, whether there was work for her to do or not, and whether the overall production of the plant would have been advanced or retarded. But this Court did not ignore the respondent's practical and legal problems. On the contrary, it specifically reserved

to the respondent the defenses urged in respondent's brief. And in the process of so doing this Court foresaw the obvious fact that there were likely to be differences of opinion between respondent and the Board with regard to respondent's actions toward certain returning employees. In dealing with some 600 individual cases, it was not unlikely that the company's rehiring of a certain striker on a certain date beyond the five day period, or the company's refusal to rehire a returning striker at all, might in some cases be questioned by the Board. Respondent believes that this Court contemplated that these differences might arise and expected the Board to oversee such compliance as the order required. The Board's duty was not all in the direction of the strikers. There was a duty to respondent as well, a duty to provide a prompt determination of any case in which the Board contended that the company's position with reference to a particular striker was unjustified. This is particularly true when the vast majority of the strikers had been reinstated over a year before the Court enforced the Board's order, and respondent had advised the Board by its letter of October 24, 1957 which employees had applied and which had been hired, together with the dates upon which each rehiring occurred. Only by the Board's prompt administrative action in any case in which it disagreed with the company could the order as enforced by this Court be contained within the limits of he remedial action contemplated by the Act. For there can be no serious disagreement with respondent's present allegation that for the Board to delay ten years, as it might have done, or for six years as it actually did delay, transports its order into the realm of the punitive. That this is the Board's deliberate intention is demonstrated by the fact that it seeks to place liability for additional back pay upon respondent on the Board's extreme theory in the specification that there was not a single striker who was able to obtain employment anywhere in the City of New Orleans or elsewhere, at any time from 1955 to date, at wages as high as those which would have been earned in the Rutter plant.

In any event, it is clear that the company *believed* that the Board would assist the company in complying with

the decree of the Court. The company's letter of November 7, 1957, shown as Exhibit I, not only shows the company's desire to comply with the decree, but requests the Board to assist it in the following language

> "Our client has already complied with some of the provisions of the decree, and is presently engaged in bargaining with the representatives of the Amalgamated Clothing Workers of America. If any instance of a failure to fully comply with the order is brought to your attention, we would appreciate your contacting us promptly so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree."

From the time of this request, November 7, 1957, *nothing whatsoever was heard from the Board in connection with the enforcement of this Court's order until March 22, 1960.* The details of this correspondence are shown in paragraph 14 of the Motion, Exhibits I and J.

We therefore submit that this case does not involve any question of whether there has been a willful disregard of this Court's decree. The company insists that the record establishes that the company has taken the action which this Court contemplated and intended that the company take at the time its opinion was issued.

On November 4, 1961, after a delay of more than six years from the end of the strike, and a delay of more than four years from this Court's decree, the Board filed a back pay specification charging the company with liability to strikers in the amount of $342,000.00. We repeat, at the risk of extreme redundancy, that in response to the letter of November 7, 1957, by which the company requested information concerning any difference which the Board might have with the company's reinstatement practices, the Board did not give the company any assistance or any reason to believe that any differences of opinion between the Board and the company existed.

## QUESTIONS PRESENTED

1) Whether the Court has jurisdiction of this Motion and power to issue a stay order.

2) Whether the back pay proceeding in question should now be stayed by this Court in view of the delay of the Board in filing the back pay specification.

3) Whether the hearing on the back pay specification is barred by the Administrative Procedure Act, 5 USCA, Section 1006.

4) Whether the back pay specification hearing is barred by the limitation on the Board in Section 10 of the National Labor Relations Act that it may not issue a complaint based upon a charge not filed within six months of the alleged unfair practice, where the Board determined on October 31, 1957, that it would not issue a complaint based upon the failure to reinstate the strikers, as shown by Exhibit E approving the withdrawal of the charge.

5) Whether the rules of the National Labor Relations Board, Section 102.54 et seq., permit the issuance of the back pay specification where the question is the right of certain individuals to be reinstated within five days of their application, as distinguished from a controversy involving the amount of back pay.

6) Whether the sworn facts of record show a conscious good faith effort of the company to obey this Court's decree, so that the Court is now satisfied that Movant is not in willful contempt.

## I.

### Whether The Court has Jurisdiction of This Motion and Power To Issue a Stay Order.

## ARGUMENT

The first question presented is whether the Court has jurisdiction of the Motion and power to stay the proceeding ordered by the Board.

The back-pay specification does not purport to be a complaint issued by the Board under Section 10 of the Statute. Rather it is an ancillary administrative proceeding as a preliminary to contempt proceedings in this Court pursuant to its decree. The back-pay specification and notice of hearing makes this clear and recites that

the back-pay specification hearing arises pursuant to the decree of this Honorable Court.

This Court therefore has jurisdiction under 28 USCA Section 1651, commonly known as the "All Writs Act", authorizing the Court to issue any writ necessary or appropriate in aid of its jurisdiction and agreeable to the principles of equity. In *National Labor Relations Board* vs. *Hopwood Refg. Company*, 104 Fed. 2d 202, the Court held that contempt proceedings were a continuation of the original case. It is settled not only that the Court has a plenary power over enforcement processes subsequent to its decree, but even the power to modify its original decree after the term at which it was entered has expired, particularly where an injunctive order was issued, which is the nature of the Court's order enforcing the Board order. See *U. S.* vs. *Swift and Company*, 286 US 106-123, 73 L.Ed. 999. See also *Stewart* vs. *NLRB*, 129 Fed. 2d 481; *NLRB* vs. *Deena Hardware, Inc.*, 228 Fed. 2d 871; *NLRB* vs. *Sunshine Mining Company*, 125 Fed. 2d 757; *Warehouseman's Union, etc.* vs. *NLRB*, 121 Fed. 2d 84.

In addition, this Court has jurisdiction under the express provisions of the Administrative Procedure Act, where the gravamen of the complaint stated in the Motion is the Board's unreasonable delay in determining the matters before it. The Act provides, 5 USCA, Sec. 1009 (c) in part as follows:

> "Every agency action made reviewable by statute and every final agency action for which there is no other adequate remedy in any court shall be subject to judicial review."

The Administrative Procedure Act further provides, 5 USCA, Sec. 1008(b) in part as follows:

> "The form of proceeding for judicial review shall be any special statutory review proceeding relevant to the subject matter in any court specified by statute, or, in the absence or inadequacy thereof, any applicable form of legal action (including actions for declaratory judgments or writs of prohibitory or man-

datory injunction or habeas corpus) in any court of competent jurisdiction."

The company contends that the National Labor Relations Board has no legal right to conduct the hearing it proposes under its notice, and since no other court has jurisdiction of the question of the right of the Board to conduct this hearing, jurisdiction is necessarily lodged in this Court under said statute. The Board cannot review the question of its right to hold the hearing until after the hearing is held, and since the issue is the right of the Board to hold the hearing there is no adequate method of review provided outside the prohibitory orders of this Court.

II.

Whether the Back Pay Proceeding in Question Should Now be Stayed by This Court in View of the Delay of The Board of More Than Four Years in Filing the Back Pay Specification.

## ARGUMENT

The strike out of which the proceedings arise began in April of 1954, when the Union called some 600 employees of the company from their work. It ended in April of 1955 when the Union notified the company that the employees had voted to return to work, and attached a list of the striking employees with the statement that all of them wished to return to work. The company replied, promptly, by letter advising that they should come in at the rate of 20 per day as that was the maximum rate at which the applications could be processed.

The difficulties of the rehiring process are narrated by the company under oath in the Motion beginning at paragraph 12. However, in spite of these difficulties, which had been forseen by the Court, the result of the company's program of reinstating the strikers, voluntarily undertaken by the company in April of 1955, may be now seen from the record as follows: The company had on its payroll at the time the strike began some 600 employees

whose names are shown on the list which the company furnished to the Board upon its request, Exhibit H. An examination of the Board's contentions in the back pay specification demonstrates that the problem of reinstating the strikers had been resolved to the satisfaction of the Board, insofar as approximately 530 employees were concerned by the end of 1956. The back pay specification is limited by the Board to 207 employees, of whom the Board admits some 130 were reinstated by the company before the end of 1956, and before the decree of this Court was entered. According to the back pay specification only 70 of the 600 employees on the payroll when the strike began had not been reinstated. Of course this figure is only the Board's contention, without reference to the company's defenses.* The Board, by charging the company with back pay from 1955 until the present date, has built a charge of liability against the company, for these 70 employees, aggregating $280,000.00 and continuing daily to increase. The huge amount of liability which the Board has thus accumulated against the company illustrates dramatically the effect of the Board created delay in prejudicing the position of the company.

In addition to artifically increasing the monetary exposure of the company by its delay, the Board has further prejudiced the respondent insofar as making its defenses is concerned. The respondent operates a garment manufacturing business under an assembly line method where each employee regularly performs a small part of the manufacturing operation. the "jobs" of the employee relate to the particular operation customarily performed, for which they are trained. Ordinarily their skills apply to one or perhaps two of the company operations. In assemblying the production lines when the strikers returned to work, it was necessary for the company to select employees having the requisite occupational skills in order to put a line into the manufacturing process. Other practical difficulties are narrated in the Motion, under oath,

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* The comany denies that applications were ever received from many of those 70 strikers. Many others disqualified because the company contends they engaged in violence during the strike.

at paragraph 12. The volume of the company's business had declined during the strike. The United States Government had cancelled certain contracts which were in process of manufacture when the strike began. The Union, on information and belief, and it is very strong belief, had made a determined effort to curtail the company's sources of business. The volume of work in the plant has never reached pre-strike level at any time since the termination of the strike. It is plain that the volume of work had decreased for causes beyond the control of the company.

In view of the showing made that the clear preponderance of the problems arising out of the massive return to work have been resolved in a manner free of controversy, it is obvious that persons who applied and who were not reinstated were not reinstated because there was a reason for the inability or the refusal of the company to re-employ them on any given date. In order now to meet the charges of the Board it is necessary for the company to reconstruct the entire factory operation as of the time the rehiring began, in order to establish the cause which existed at that time for not reinstating a particular striker. It is obvious that this reconstruction requires the testimony of the supervisory personnel of the company, who participated at lower management levels in reaching decisions. These supervisors alone had the intimate personal familiarity, arising from their day to day activities of the myriad details of the many separate lines of manufacturing activity. They better than anyone else can explain the reason why a particular skill could not be furnished work at a particular time. It is further plain that the facts entering into these complicated and detailed decisions were not facts of record, but depended then and now upon the knowledge and memory of the particular supervisors and the particular employees involved. Thus with respect to any one returning employee, the testimony of many individuals may have been required to reconstruct the circumstances which dictated if and when she would be rehired.

The importance of these witnesses to the company is obvious. Since the rehiring program in mid 1955, many

of the supervisory force have left the employ of the company. Supplemental Exhibit II(c). Many of the employees, familiar with the particular skills of the individuals involved have left the employment of the company. Problems of re-employment which could have been handled routinely with the Board's assistance, if the Board had acted in accordance with its responsibilities and with dispatch, have now become lost to the realm of conjecture. The company is at the mercy of the 207 partisan employees who now seek the $342,000.00 pot of gold which the Board has placed before them.

The impossibility of adequate cross-examination of these partisans is obvious. Against their statement of what supervisors said to them, of what the situation was at the time they came to work, the company's cross-examination cannot be predicated upon known and sure details for purposes of impeachment and accuracy.

While the strike was in progress there had been recurring scenes of violence on and near the picket line outside the plant. The immediate neighborhood in which the plant was located found itself the scene of struggle between the strikers and employees who desired to work while the strike was in progress. The New Orleans police force was upon the scene frequently. Numerous individuals were arrested and charged with breach of the peace. Finally the company instituted a suit for an injunction against such violence, in Case No. 333-832 of the Civil District Court for the Parish of Orleans, entitled "*J. H. Rutter-Rex Manufacturing Company, Inc.* vs. *James E. Youngdahl, et al.*" A trial of several weeks ensued in which the minutia of the breaches of the peace and the unwarranted violence were examined and testimony taken. The Court granted an injunction against the Union and its associates and confederates prohibiting in the future the conduct which had been freely indulged in the past. Since the back pay specification was issued, the company has made an effort to locate the stenographic record of the trial in order to identify clearly the persons who had forfeited their rights to reinstatement by participating in the violence. The record is not obtainable. Due to the length of the trial four court reporters participated in

recording the evidence. Three of them have disposed of their notes. One advises that he may possibly locate them in some long forgotten storage niche. As of the date of this writing, the lost notes have not been located and the lost evidence cannot be procured. See affidavit, Supplemental Exhibit II(c).

Thus has delay prejudiced the company; thus has delay obscured the truth; thus has clear and convincing evidence been irretrievably lost. Respondent's defenses are now committed to the reluctant memory of witnesses who have much to gain in supporting the case of the Board.

Prejudice with respect to the possibility of a fair trial at this late date is not the only prejudice and injury which the Company has suffered. Since the back pay liability for 70 employees is now some $282,000.00, based on a beginning point in 1955 and continuing to the present, it is obvious that if the Board is successful the long delay of the Board is the most important element in creating the astronomical liability. Before turning to the settled authorities which have considered the effect of such delay in proceedings of this general nature, we remark that we expect the Board to attempt to justify its delay and attribute it in part at least to the Company. We sincerely say that this cannot truthfully or accurately be done. It is undisputed that from November of 1957, when the Company requested assistance as shown in Exhibit I, until March of 1960 (Exhibit J), the Company heard nothing from the Board, and the Board did nothing to resolve the difficult questions which it now says had arisen. After March of 1960 the Board began a desultory series of inquiries for information to the Company. The Company met these inquiries in every case with the willingness to furnish the information, or permit the Board to secure it from company records. This series of requests and responses is shown in the correspondence between the Board and the attorney for the Company, which is now filed as Supplemental Exhibit II(a). It will be observed that on May 25, 1961, the Regional Director wrote a letter (hereinafter referred to as the Lebus letter) to the company attorney in which he attempted to share the

responsibility of his delay with the company. All of the premises of the Lebus letter are disputed by the company in its reply dated June 1, 1961. But even if the reply of the company be entirely disregarded, *the maximum amount of time which the Lebus letter would charge to the company amounts to less than three months out of the six year total.* Since the Board's requests required the company to put its employees to work locating and assembling personnel and payroll records which spanned a six year period, it is not surprising that the company required *some* time to reply to the Board's numerous demands for information. The company submits that the Lebus letter when carefully read in the light of the plain facts is no more than an obvious and less than candid attempt to cloud the issue with reference to delay.

We believe that the delay of the Board in this case is unprecedented; at least our research has not found a case where the period of delay compared to the extended delay now before this Court. We ask the Court to bear in mind that this case does not relate to delay by the Board *before* seeking enforcement of an order of the Board. Where employers have urged the delay of the Board in petitioning the Court for enforcement of a Board order issued under Section 10, the courts have not permitted the employer to complain since the employer has a right to ask the Court to set aside the Board order and thereby compel early action. That is not the case at bar. Here the Court had already enforced the order of the Board by its decree of 1957. This type of delay in bringing a contempt proceeding, for that is what the back pay specification presages, has been considered by the United States Courts of Appeal and has been held to prevent a contempt proceeding. In *National Labor Relations Board* vs. *American Potash & Chemical Corp.*, 113 Fed. 2d 232, the 9th Circuit considered a contempt proceeding brought by the Board against an employer 13 months after the alleged acts in violation of the Court order occurred. The acts of contempt related to the forming of another company-dominated union. The Court in holding that it would not entertain the contempt petition after a lapse of 13 months from the violation, said in part,

"That 13 months has obscured the memory of these employees as to the happenings in the emotions aroused by this controversy with their employer is apparent from the affidavits and we do not believe a reference for further exploration of the charge of disobedience of our order (c) is required to vindicate the authority of the Court or aid to effectuate the purpose of the Act."

In another portion of the opinion the Court said in part:

"It is obvious that the charged offenses are entirely different in character and that if the domination happening over a year before were sufficiently substantial to constitute contempt, no mere convenience of the Court or Board warrants such a delay."

In *National Labor Relations Board* vs. *Sterling Electric Motors*, 114 Fed. 2d 738, the Court had a problem, in a different type of proceeding, not unlike the problem in the case at bar. There the court in connection with enforcement proceedings had recommitted to the Board an issue upon which it was to take evidence. The Board failed to take evidence or conduct a hearing under the court direction. The conduct of the Board, although for different reasons, compares to the failure of the Board in the instant case to make any effort to resolve the controversies arising out of the rehiring process from the time of the Court decree until March of 1961. The Court condemned the delay of many months, saying that the refusal to act on the recommitted issue was a violation by the Board of its duty under Section 10(e) of the Labor Act. It said in part:

"It is obvious what the delay of these many months may mean to the business reputation of a small manufacturing firm subject to a charge by a powerful governmental agency of a fraud reflecting on its integrity, allegedly committed to accomplish a violation of a federal statute. . . . that a prompt decision on such a charge is the intent of Congress is shown by Section (10(i) of the Act." (Citing authority)

The decision in *National Labor Relations Board* vs. *Mall Tool Co.*, 119 Fed. 2d 700, 7th Circuit, in speaking of delay and prejudice to the employer, said in part:

> "Consistency in administrative rulings is essential, for to adopt different standards for similar situations is to act arbitrarily. Under such circumstances, affirmative orders violate administrative discretion and become punitive, rather than remedial measures, outside the scope of the Board's powers. (Citing authority) It is obvious that undue delay in filing charges may not only prejudice the employer, but also tend to encourage employees to await in idleness with the expectation that no matter how long they delay filing charges, they will receive compensation for all time during which they have been quiesant. *The legislation contemplates that a proceeding such as this shall promote the public welfare; not that it shall benefit provate parties in respect unrelated to that welfare.* (Emphasis supplied)

In *Matheson* vs. *Hanna-Schoellkopf Co.*, 122 Fed. 836, a rugged district judge had before him an application to hold in contempt a respondent who had violated an injunction more than four years before the attachment was asked for. The Court said in part:

> "I regard the delay as enough to justify me in refusing this motion. The injuries done by the acts complained of was peculiarly directed against the private right of the petitioner, and it was his duty to move promptly, instead of going on before the Master, as if nothing important had happened. His neglect to take timely action leads me to believe that if the Master had accepted the petitioner's view of the law, and had reported what the petitioner would have regarded as a favorable decree, this proceeding probably would not have been begun. Moreover even if the alleged contempt should be regarded solely in its quasi-criminal aspect, as an offense against an order of the Court, the lapse of time is so great that a Court should be reluctant to inflict a punishment from which, if the offense were indictable, the stat-

ute of limitations would be a complete protection. I do not say that the lapse of time is in all cases a sufficient reply to the charge of contempt, but certainly, after four years, the case should be clear, and the circumstances should call distinctly for the court's action."

We do not now contend that the five year statute of limitations, Title 18, Sec. 3282, USCA, standing alone, is a bar to maintaining a contempt proceeding in this case. But the question of whether to entertain a contempt proceeding, and the back pay specification presages such proceeding, is a question within the judicial discretion of the Court. It is therefore appropriate to observe that the back pay specification contemplates a prosecution or sanction against the company *for acts which allegedly occurred more than six years ago.* For purposes of analogy it is pertinent to observe that even a common thief or other felon could not now be subjected to any kind of punitive proceeding after so great a lapse of time. The Supreme Court of the United States has settled in two leading decisions that the time for punishing for contempt begins to run when the acts which are sought to be punished occur. In *Gompers* vs. *United States*, 233 US 604, 58 L.Ed. 1115, 34 S.Ct. 693, Mr. Justice Holmes held that where the period of time prescribed in the federal Limitation act barred prosecution for crime, it must likewise bar sanctions for contempt. The acts involved were alleged to be the violation of an injunction which has been issued in a civil suit previously affirmed by the Supreme Court. The acts were treated as though they were criminal contempt, although they involved only the violation of a civil decree of injunction. In holding that the statute of limitations applied to them the Court held that the fact that trial by jury was not extended to such offenses did not take them out of the limitation statute. He held that the statute applied to the acts even though the statute referred to the commencement of prosecution by indictment or information, explaining that these words were subordinate to the phrase "any offense not capital". Finally Mr. Justice Holmes concluded

> "Even if the statute does not cover the case by its express words, as we think it does, still, in dealing with the punishment of crime a rule should be laid down, if not by Congress, by this Court. The power to punish for contempt must have some limit in time, and in defining that limit we should have regard to what has been the policy of law from the foundation of the government. By analogy, if not by enactment, the limit is three years."

Mr. Justice Holmes concluded by quoting from Chief Justice Marshall in *Adams* vs. *Woods*, 2 Cranch, 336, 2 L. Ed. 297.

> "In a country where not even treason can be prosecuted after a lapse of three years, it could scarcely be supposed that an individual would remain forever liable to a pecuniary forfeiture."

The Gompers case has never been questioned as authority and was cited by the latest modern case from our Supreme Court, *Pendergrast* vs. *United States*, 317 US 312; 87 L.Ed. 368. In the Pendergrast case, a fraudulent settlement of a controversy involving $10,000,000.00 of funds impounded by a District Court had been concealed from the Court until revealed by Income Tax investigations. The parties to the fraudulent settlement were prosecuted as for criminal contempt, and the lower courts held that the statute of limitations relating to crimes did not apply to the case because the fraud was concealed and the crime continued until the fraudulent concealment was ended. The Supreme Court through Mr. Justice Douglas reversed the judgments of conviction below. He cited and reaffirmed the holding of the Gompers case, and the authority of *Adams* vs. *Woods*, supra. It was urged that the contempt continued so long as justice was obstructed, but the court denied this contention holding that each act was punishable of itself, and therefore "must be judged by itself".

The acts in question here occurred in mid 1955. The back pay specification was dated November 4, 1961. Thus more than six years elapsed between the act and the proposed proceeding.

The rule of the Gompers and Pendergrast cases has become the settled rule of Federal and State Courts. The subject is annotated in 38 ALR 2d 1131. The annotation cites *Hart Investment Company* vs. *Great Eastern Oil Company*, 27 Fed. Sup. 713; and *United States* vs. *Goldman*, 277 US 229, 72 L.Ed. 862, for the rule that a proceeding instituted by the Federal Government for punishment of an injunction obtained by the Federal Government is an offense subject to the statute of limitations. In *United States* vs. *Dean Rubber Manufacturing Company*, 72 Fed. Sup. 819, the government proceeded against a manufacturing company for violating an injunction decree granted in an action instituted by the United States under the Food, Drug & Cosmetic Act. It was there held that the proceeding was barred by the criminal statute applying to offenses against the United States, the predecessor of the current statute, rather than the one year limitation period contained in the Clayton Act.

It is true that the proceedings of the National Labor Relations Board after the court had enforced its decree to hold the employer in contempt have been likened to a civil contempt proceeding rather than a criminal contempt. This is immaterial for limitation purposes. *Adams* vs. *Woods*, supra., by Justice Marshall negates the theory that the difference between civil and criminal offenses may render civil offenses not subject to the statute. The citation of the Adams case in the Pendergrast case, and the reasoning of the court in the Gompers and Pendergrast cases likewise make it plain that the reason for attaching the consequences of the limitations statute to the contempt proceeding apply even more strongly to civil contempt than to criminal contempt. We assume the policy of the law is not to adopt a rule which would bar the prosecution of a rogue or criminal and at the same time leave a businessman subject to prosecution without time limit in a matter arising out of Labor Board proceedings. That ought not to be the law and we cannot conceive that this Court will declare that it is the law.

In *Deering-Millikin, Inc.* vs. *Johnson*, 193 F. Supp. 741, the National Labor Relation Board was enjoined by a District Court where it had delayed its processes of deci-

sion over the course of several years. In holding that the actions of the Board were sufficient to ground an injunction, the District Court said,

> "The Board's order of February 15, 1961, and the failure of the Board to make a determination of said case on the merits, works an irreparable injury to plaintiff, constitutes a denial of rights guaranteed to it by the Constitution of the United States, and violates clear and mandatory provisions of statutes governing the Board's handling of said case."

We shall urge to the Court the significance of the decision of the Deering-Millikin, Inc. case under another section of this brief. We refer to it here solely to demonstrate that the courts will enjoin administrative action by the Board taken in a manner or at a time which work irreparable injury to the respondent. It is particularly significant that the Board was enjoined in Deering-Millikin even though there could be no showing in that case of any injury approaching the type of monetary injury which the Board seeks to visit upon the respondent in this proceeding.

The Sterling Electric Motors case, the American Potash case, and Deering-Millikin are late expressions of well established law. In 42 Am. Jur. page 438, Sec. 108, the text says with reference to long delayed administrative proceedings,

> "In the absence of such a provision (Statute of limitations) however, the courts are loath to infer that the legislature intended that administrative proceedings in matters of private rights shall not be barred by the lapse of time as are judicial proceedings."

We have heretofore pointed out, and we repeat for emphasis, the fact that the company in its letters of October 24 and November 7, 1957, Exhibits G and I, advised the Board of what it had already done with respect to reinstating the strikers and specifically requested the Board to call to the company's attention any controversy or difference that might arise so that it could be immediately corrected. The Board's failure to respond has not

only increased respondent's potential liability to astronomical proportions; but the failure of the Board to see that the compliance was effected and to work with the company to that end is also a significant failure of its public responsibility. This Court had a somewhat similar problem, although the action of the Board was not as aggravated, in *Waterman SS Corporation* vs. *National Labor Relations Board*, 119 Fed. 2d 760. In that case the company asked advice of the Board as to how to make certain calculations and tenders relating to back pay. The company made a calculation for each man and sent it to him with a full release. The Board thought the basis of the settlement was erroneous, and brought contempt proceedings against the employer. This Court stated that the Board

> "Ought on request to cooperate with the employer in framing a proper tender, and we should be slow to punish as contemptuous unassisted tenders which are not in all respects correct but made in good faith."

Likewise in *N.L.R.B.* vs. *Dan River Mills, Inc.*, 274 F. 2d 381 @ 387 the Court through Judge Brown said,

> ". . . it is reasonable for an employer to expect that official processes once invoked may be used for its resolution."

In *M. M. Wood Co.* vs. *Plywood and Veneer*, 23 F. Supp. 11, the Court said,

> "The power to settle controversy by administrative action carries with it the responsibility to act."

We conclude by submitting that the action of the Board, which had full knowledge in 1957 of the employees who had been reinstated, and of the employees who had not been reinstated, in not taking the problem up with the company and assisting in a prompt resolution thereof, was a violation of the duty which it owed to this Court, to the company, to the employees, and under its statutory mandate. Its delay has prejudiced the company to the point that it is difficult if not impossible for the facts to now be difficult if not impossible for the facts to now be

accurately presented to any trier of fact. There can be no excuse for the delay, and we scarcely believe that one will be offered. This delay and the perjudice to the other party litigant constitutes laches, as that term has been familiar to equity jurisprudence, and on the ground of laches the Board should now be permanently stayed from maintaining the hearing so long delayed.

## III.

Whether the Hearing on the Back Pay Specification is Barred by the Administrative Procedure Act, 5 USCA, Section 1006.

## ARGUMENT

The next question presented is whether the Administrative Procedure Act forbids the National Labor Relations Board to conduct the back pay specification hearing, where the Board has unduly delayed the resolution of the controversy. The Administrative Procedure Act, 5 USCA, Section 1005(a) provides in part as follows:

> "Every agency shall proceed with reasonable dispatch to conclude any matter presented to it except that due regard shall be had for the convenience and necessity of the parties or their representatives."

If this language means anything at all it means that the Board must act promptly in any case in which it contends that there is a continuing monetary liability which increases each day of the Board's delay. The Deering-Millikin case, supra, stands squarely for the proposition that violation of the command of reasonable dispatch contained in the Administrative Procedure Act is, standing alone, sufficient grounds to prohibit the Board from holding the hearing. The action of the Board not only fails to meet the requirement of the Administrative Procedure Act, it deprives the company of that due process of law contemplated by the Constitution. It is fundamental that the due process guaranty requires a fair trial with an opportunity to present witnesses and all such evidence as is required to fairly present the position of the litigant. The Board's delay here has effectively prevented the com-

pany from meeting the particular facts involved in the numerous and complex issues. We cannot under the facts known to us charge the personnel of the Board with deliberately delaying the matter so that the financial liability of the respondent would be enhanced. But we do say that if this Honorable Court permits this hearing to now be held, the way will be open for a vindicative official to take such action and thereby either to wreck the corporate employer with financial losses or harass him by compelling an expensive effort to defend actions occurring many years ago with only hostile witnesses to furnish evidence.

## IV.

Whether the Back Pay Specification Hearing is Barred by the Limitation on The Board in Section 10 of The National Labor Relations Act That it May Not Issue a Complaint Based Upon a Charge Not Filed Within Six Months of the Alleged Unfair Practice, Where The Board Determined on October 31, 1957, That it Would Not Issue a Complaint Based Upon the Failure to Reinstate the Strikers, as Shown by Exhibit E, Approving the Withdrawal of the Charge.

## ARGUMENT

In addition to the Labor Board proceeding which resulted in the order enforced by the Court, another Labor Board case was begun on June 29, 1955, by the filing of a charge which became Case No. 15-CA-843. This charge alleged that the company had refused to reinstate the returning employees and had thereby violated Section 7 of the National Labor Relations Act. The charge is shown as Exhibit B to the Motion, together with the names of the employees who were made the subject of the charge. An amended charge was filed on August 2, 1955, shown as Exhibit C, alleging that the company had "discriminatorily refused to reinstate or re-employ striking employees whose names are attached hereto," and another list of names was attached to the amended charge. The charge was amended again on January 12, 1956, and a

third list of names was attached. These charges pended from the summer of 1955 until the fall of 1957, when the charges were withdrawn with Board approval as shown by Exhibit E. No other charges relating to the alleged unfair labor practice specified in the charges withdrawn have been filed against the company.

The charges which pended before the Board in Case No. 15-CA-843 had been timely filed, within the time specified by 29 USCA Section 160(b), that is within six months from the occurrence of the act complained of. The Board had the power to issue a complaint if it deemed an unfair labor practice had been committed. It did not do so but permitted the charges to be withdrawn with its approval. *The Board allowed the charges which had been properly filed to be withdrawn at a date which prevented the filing of any new charge, and the Board's action permitting the withdrawal effectually extinguished the occurrences which were the subject of the charge insofar as any future unfair labor practice proceeding was concerned.*

It is the obvious intention of the Act to prevent the Board from now adjudicating the unfair practice which has been extinguished by the withdrawal of the charges, and the time limit specified in the Act. Thus the Board seeks to do by a back pay specification, a creature of its own creation, that which Congress has denied the Board the right to do directly by the statutory methods provided.

We shall in the next section of this brief, attempt to draw for the Court the distinction between the re-employment rights of individuals and the computation of back pay where the re-employment rights are not in issue. If the Board has made a mistake in permitting the charge to be withdrawn, so that legally the proceeding may not now be conducted, that is the Board's own mistake. It could have allowed the charge to pend and tried the unfair practice at the present time. It did not do so because in the unfair practice proceeding the Board would have had the burden of proof of all of the facts it sought to establish. Rather it decided to avoid the trial of the re-employment rights in an unfair labor practice proceeding, and seek to include the re-employment right in a hearing

on the back pay specification. We respectfully submit that the Congress did not intend that the Board evade its responsibility in this manner, nor did Congress intend that the Board be allowed to do indirectly what Congress forbade it to do directly.

## V.

Whether the Rules of The National Labor Relations Board, Section 102.54 Et Seq., Permit the Issuance of the Back Pay Specification Where the Question is the Right of Certain Individuals to be Reinstated Within Five Days of Their Application, as Distinguished From a Controversy Involving Only the Amount of Back Pay.

### ARGUMENT

The rules of the Board relating to the back pay specification begin at Section 102.52 and provide that the back pay specification may be issued by the Regional Director whenever it appears:

> "that there has arisen a controversy between the Board and a respondent concerning the amount of back pay due which cannot be resolved without a formal proceeding."

The rule presupposes, from its very wording, that the back pay proceeding relates only to a controversy about "amount". The rule does not contemplate that the back pay proceeding shall be used to determine whether the individual has re-employment rights, or whether the individual was reinstated at a time which was reasonable under all of the circumstances. The issue of the amount of back pay is ordinarily a matter of mathematical computation. The rule contemplates that the back pay specification hearing will be issued in the typical 8(a)3 case where the date of discharge and the date of re-employment are definitely known, and there is no controversy about the right of the individual to receive *some* back pay.

We submit that the Board has violated its own rule by spreading the back pay specification blanket wide enough to cover the re-employment rights of 207 individual employees, extending over a period in excess of six years.

Here the amount of back pay is not the crux of the dispute, but rather the re-employment rights of the individuals concerned. The rules of the Board relating to the back pay specification are wholly inapplicable to this proceeding is apparent by examining the remainder of Rule 102.54, reading:

> ". . . As to all matters within the knowledge of the respondent, including but not limited to the various factors entering into the computation of gross back pay, a general denial shall not suffice. As to such matters, if the respondent disputes either the accuracy of the figures in the specification or the premises on which they are based, he shall specifically state the basis for his disagreement, setting forth in detail his position as to the applicable premises and furnishing the appropriate supporting figures."

This rule would put no great burden on a company if back pay were the *only* issue. It puts an insurmountable burden on the company where the re-employment rights of several hundred individuals are involved.

We submit that since the rules of the Board relating to the back pay specification do not apply to the controversy which the Board seeks to bring within them in the case at bar, the Court should stay the proceeding. We do not suggest revisions in the rules of the Board, as we do not believe that it is the responsibility of the counsel or of the Court so to do. We submit however that the Court should confine the Board to the rules which it has adopted, and not permit them to be used with respect to subject matter not within their express scope.

## VI.

Whether the Sworn Facts of Record Show a Conscious Good Faith Effort of the Company to Obey This Court's Decree, so That The Court is Now Satisfied That Movant is Not in Willful Contempt.

## ARGUMENT

The company has affirmed in the motion under oath its intention and its good faith efforts to comply with the

decree of the Court. It will not be disputed, we believe, that immediately following the decree of the Court the company posted the notice and compiled with the decree insofar as bargaining with the Union was concerned.

It likewise will not be disputed, we believe, that the company furnished to the Board a list of the employees who had presented themselves for work and a list of the dates showing when they had been rehired; and if they had not been rehired that that fact was shown upon the list. It is thus obvious that the company intended and sought in good faith to obey the decree of the Court. It told the Board that if any instance of non compliance were called to the attention of the company, the company would correct it so as to effect full compliance with the decree.

We recognize that the good faith of the company insofar as compliance with the decree is concerned is not ordinarily a complete defense, but we submit that its efforts here should at this late date constitute a complete defense. In any event we submit and believe that this court's disposition of the Motion of the company should be predicated upon the fact that the company has in good faith accepted and complied with the decree insofar as it could comply without the assistance of the Board in advising the company of errors or omissions which might have occurred in the rehiring process.

The United States Courts of Appeal, under the National Labor Relations Act, become finally the judges of the entire controversy. When the unfair labor practice proceeding begins, the Board by statute is given a wide freedom in determining the facts, drawing conclusions, and devising remedies. The United States Courts of Appeal are directed by the Act to enforce the orders of the Board in unfair labor practice proceedings, where the orders are supported by substantial evidence on the record considered as a whole. This Court, and others, have commented many times that the orders entered by the Board were not necessarily the orders which the Court would have entered if the facts had been originally tried before the Court. Nevertheless, the Court is commanded by stat-

ute to become a cooperative agency with the Board up to the point where the enforcement order is entered.

We submit that once the enforcement order is entered, the Court again reverts to its traditional role as an independent judge of a controversy between litigants. We submit that after the enforcement order is entered the Board has no greater standing in this Court than does any other litigant. It is therefore the ultimate responsibility of the Court to be sure that the facts which its contempt processes may adjudge are found fairly and that the Court should keep the proceeding to find the facts within its complete control.

We therefore submit to the Court that when, as and if the Board sees fit to present a sworn charge of contempt of Court in this case, that at such time the Court can determine what character of proceeding should be held and the extent of the inquiry which should be made into the facts thereof, and that the instant proceeding should be stayed.

The proceeding proposed by the Board ought to be stayed because it is obviously futile and serves no purpose so far as the Court is concerned. The Courts have settled that in a contempt proceeding something more than a mere preponderance of the evidence must be produced, and something less than proof beyond a reasonable doubt. This Court expressed the requirement in *National Labor Relations Board* vs. *Tupelo Garment Company*, 122 F. 2d 603, as follows:

> "A judgment holding the respondents in contempt would have to be supported by clear and convincing evidence but not necessarily proof beyond a reasonable doubt."

It is obvious that clear and convincing proof cannot be produced for the Court with respect to events which occurred more than six years ago, and where the evidence must necessarily come from partisan witnesses who testify with the hope of tremendous financial rewards for themselves if they support the Board's contentions. As this Court said in *NLRB* vs. *Dan River Mills, Inc.*, supra.,

"And now no longer will his conduct be judged alone by what was said. Now, through the unavoidable nature of our legal administrative machinery, *NLRB* vs. *Ferguson*, supra., it will be judged by what interested partisans say one said was said, or what others said to have said say was said."

## CONCLUSION

We submit that this Honorable Court should now stay the proceedings which the Board proposes to conduct, leaving all other matters for determination in the event that the Board sees fit to take other steps. The sole question presented in the Motion is the issue of whether the back pay specification hearing should now be prohibited. We believe that it should and we therefore respectfully pray to the Court that the Motion seeking a stay of the back pay specification hearing be granted.

Respectfully submitted,

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IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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No. 16,422

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NATIONAL LABOR RELATIONS BOARD

*versus*

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

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# SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION TO STAY

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Filed, May 21, 1962, U. S. Court of Appeals,
Edward W. Wadsworth, Clerk.

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IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16,422

NATIONAL LABOR RELATIONS BOARD

*versus*

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

# SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION TO STAY

The Court has permitted the filing of a brief by the Amalgamated Clothing Workers of America, AFL-CIO, as Intervenor, and this brief will reply to Intervenor's brief as well as the brief filed by the National Labor Relations Board in opposition to the Motion to Stay.

First and foremost, it is well to point out that neither the Board nor the intervening union has contradicted any fact set forth by Movant under oath in its Motion. No answer to the Motion was filed, and the Affidavit of the Regional Director appearing as Appendix A to the Board's brief, which is the only evidence filed by either the Board or the Intervenor under oath, does not contradict any fact set forth by Movant under oath. The factual allegations upon which Movant seeks relief may therefore be accepted by the Court as true. We ask the Court to consider the issues presented by the Motion against the background of these facts, which have not been contested or denied. It is particularly pertinent to point out that neither the Board nor the Intervenor has denied Movant's allegation that the union tried to curtail Movant's sources of business, thereby contributing to the problem of finding work for the returning strikers, and Movant's allegation that

in many instances returning strikers applied for reinstatement when they were not in fact serious about returning to work, thereby complicating an already complex reinstatement program.

By way of preliminary comment, Movant must point to the fact that Intervenor has made any number of allegations of fact in its brief which are completely gratuitous and not supported in any way. Intervenor, throughout its brief, makes unsupported statements concerning what the union has done and what the company has done during the course of this case, all of which are gratuitous representations designed to prejudice the mind of the Court. The extent of the union's efforts in this regard are climaxed in the last paragraph of its brief in which it is stated that Movant should not be allowed to gain anything from having resorted to "the simple expedient of delaying compliance with the Board's order and the Court's decree . . .". This statement is entirely at variance with the facts as set forth in the Motion, none of which have been contradicted, and inconsistent with the facts set forth in the Backpay Specification itself.

In the Board's brief, the Board resists the relief in the Motion to Stay by reliance upon the general principle of *Myers* v. *Bethlehem*, 303 US 41, to the effect that a federal court should not undertake "premature review of an unfair labor practice case" (Board's brief, page 9). The Board does not contest the jurisdiction of this Court which Movant has invoked, but maintains that this Court *ought* not to interfere with the regular processes of the Board as set forth in the National Labor Relations Act. *Myers* v. *Bethlehem* was decided before the Administrative Procedures Act became law in 1946, and therefore does not consider the obligation imposed upon administrative agencies by Section 6 (a) of the APA. Furthermore, it can hardly be said that Movant is seeking a "premature" review of Board action, in view of the Board's delay of 4½ years before filing the Backpay Specification in this case. Movant does not question the general principle preventing a litigant from "short circuiting" ordinary and customary statutory procedures which Congress has provided for administrative agencies. It is

Movant's position that this is no customary or ordinary Board proceeding, but rather one which has become an abuse of the Board's discretion converting what would have been a remedial order into a punitive and therefore prohibited order.

The second contention made by the Board in opposition to the relief sought by the Motion is that the APA "does not supplant the exclusive procedures for review of Board determinations provided in the NLRA" (Board's brief, page 17). This argument overlooks the verbiage of Section 10 (e) of the APA as interpreted by *Deering-Milliken* v. *Johnston*, 295 F 2d 856. The Board then argues that *Deering-Milliken* does not support this Court's right "to enjoin a hearing in an unfair labor practice proceeding" (Board's brief, page 21), but simply supports this Court's right to compel agency action unreasonably delayed. After originally contending that this Court should not interfere with the statutory procedure of the NLRA at all, the Board falls back to its secondary position, which is that this Court may order a dilatory Board to act but may not enjoin it from acting. The District Court opinion in the *Deering-Milliken* case (193 F. Supp. 741) could not be clearer in stating the nature of the action as one

> "brought to declare the invalidity of, and to obtain an injunction permanently restraining the defendant from proceeding under, an order of the National Labor Relations Board . . ."

The Board finally contends that the Board has not been guilty of laches, and that even if it has been guilty of laches, this is not a matter which can be urged against the government. That the Board has been guilty of laches is too obvious for serious argument. The Board cannot contest the fact that it permitted 4½ years to elapse before filing the Backpay Specification. The Board admits that it is "in the position of having delayed action in this matter over a period of several years" (Exhibit J). The Board contends that this delay has been attributable "in a large measure" to a shortage of personnel in the 15th Regional Office. By its own admission, then, the Board is on record as admitting that personnel problems did not

account for *all* of the delay. The only evidence which the Board has submitted in defense of the charge that it has been dilatory is in the form of an Affidavit by the Regional Director for the 15th Region (Board's brief—Exhibit A) in which he sets forth the fact that from July 1, 1957 to December 31, 1961, which is the period during which this case was being handled, over 2,200 cases were filed in the 15th Regional Office. *The position which the Board takes in its brief is that its own delays, whether culpable delays or not, are entirely irrelevant, and that in no event could Movant complain of any delay which occurs, however long it may endure.* (See Board's brief, Section III A). The Board does not make a serious effort to deny the charge that it has been guilty of unusual delays in this case, and can hardly do so in face of the fact that the 15th Regional Office was commended for its unusual rapid handling of cases during the period covered by the Regional Director's Affidavit. We quote the following newspaper article, *in toto*, which appeared in the New Orleans STATES-ITEM on January 16, 1962:

"NLRB REGIONAL OFFICE GETS COMMENDATION FOR WORK

"The New Orleans regional office of the national labor relations board has been commended by NLRB headquarters for speedy handling of industry-labor disputes.

"NLRB general counsel Stuart Rothman congratulated regional director John F. LeBus 'for remarkable public service' the local agency rendered in 1961.

"LeBus and his staff have whittled their handling of unfair labor practice charges, from the date of filing to NLRB determination of whether a complaint is justified, to an average of 18 days. Thirty days is standard.

"The office received 254 charges of unfair labor practices, issued 33 complaints after investigation, and held only 21 hearings on the issues in 1961.

"LeBus, reporting on 1961 activities, said 55 per cent of the 'meritorious' cases were settled out of court; that his agency collected $30,294 in back pay

for employes illegally discharged, and was responsible for getting 10 workers reinstated in their jobs. Nine others refused the reinstatement offered.

"The agency also handled 178 requests for elections on union representation of employees, supervised 127 such elections and persuaded principals in 63 per cent of the elections to put the issue to a vote without recourse to formal NLRB hearing."

From the foregoing article, it would not appear that the 15th Regional Office was understaffed. We doubt that there are likely to be many situations in which a regional director considers his office overstaffed, with not enough work to be done. We also doubt that there would ever be an instance in which a regional director could not file an affidavit which would make it appear that his staff was fully occupied and thereby justify any delay which might occur in any given case. If such an affidavit by a regional director justifies indefinite delay in processing a case involving backpay, the company involved is at the mercy of the regional director, who can delay the proceeding and thus control the "Fine" imposed on the company.

The *Deering-Milliken* case states, (295 F 2d at page 868) that "some balance between the interest of the Board, of the Union and of the employer" is required. The Affidavit of the Regional Director does not explain why no representative of the Board made any effort to contact Movant from 1957 onward in order to discuss the cases of the individual employees as they were investigated by the Board's representatives. The normal method of adjusting problems in these types of cases is by negotiation. There has been no reason given why the Regional Director felt it necessary to defer any contact with the company until his representatives had contacted all 600 persons on the strike payroll. If the Regional Director's reasoning is accepted, he was justified in deferring discussions of the reinstatement and backpay rights of 599 strikers until he had contacted the 600th and last striker, with backpay mounting all the while. If the Regional Director knew from the information he had gathered, and from the information furnished by the company at his re-

quest in 1957, that a dispute existed with regard to the reinstatement rights of a particular employee or group of employees, the existence of a dispute should have been communicated to the company and an effort made to promptly resolve it. But the fact of the matter is that during all of the period of the Board's delay, and in spite of the company's request for assistance, the Board did not, at any time before the filing of the Backpay Specification, presents its "Bill" for negotiation or discussion.

We do not believe that the Board's representative can seriously deny that the Board's order, as enforced by this Court, is an order subject to various interpretations in its practical application to Movant's problems. The Board itself, in its brief at page 13, refers to supplementary proceedings following enforcement as a normal preliminary to the award of appropriate amounts of backpay. The remedy suggested by the Trial Examiner in his Intermediate Report, the order of the Board, and the opinion of this Court all involved nebulous concepts which admit of infinite variations when applied to Movant's reinstatement program. As an example, the Board's order requires reinstatement to "substantially equivalent positions". This is a definition about which the Court, the Board, the Trial Examiner, and the Company may differ. This Court's opinion refers to the need for resolving numerous additional questions, such as, for example, the availability of work considering the nature of Movant's balanced operation. The Board, without any consideration of the company's rights, takes the callous position that Movant was required to comply with its order *in haec verba*. By this we understand the Board to mean that the company was required to hire immediately any striker who applied for work, regardless of when she applied, and regardless of whether she was needed or not, in order to protect itself against the punitive weight of an indefinite accumulation of backpay. The Board's position is that the company had to "overcomply", so to speak, in order to "play it safe". But the Court did not require "overcompliance". The Court directed the company and the Board to resolve the reinstatement problems in a manner consistent with the legal principles inherent in the defenses urged by the

company in the enforcement proceeding, which defenses were specifically "reserved" by the Court for future consideration (245 Fed. 2d at page 598). Movant believes that this Court was aware that its opinion would operate under facts, then unknown, which would be developed as the compliance process continued.

If there were any evidence in the Backpay Specification, or elsewhere in this record, indicating that the company had not in good faith tried to comply with this Court's order, and sought the help of the Board to that end, we would not have asked this Court for the relief sought by the Motion to Stay. But the Backpay Specification itself clearly indicates that the company promptly launched a reinstatement program in the face of serious and complex difficulties, and that this reinstatement program was comprehensive and effective. There can be no doubt that the company furnished to the Board the information requested about its reinstatement program, and the Board cannot deny that it was advised by the Company of its intention to comply. Nor can the Board deny that the company sought the Board's cooperation in resolving any dispute which might have arisen between the company and the Board in the case of an individual seeking reinstatement. The cases cited in the Board's brief, at page 25, in which the courts have refused to mitigate backpay because of the length of the proceedings, have no application here. In all of the cases cited by the Board, the company was in the position of resisting the charge proferred against it. In all of these cases the company had it in its power to terminate the accumulation of backpay by curing the allegations in the charge or the complaint, whatever they were. *In this case the company was not resisting at all. The company was complying and seeking the Board's advice as to how the Board wanted it to comply.* If the actions of the Board in this case are justified, any company which is directed to reinstate a group of employees with backpay is at the mercy of the Regional Director. For the Board contends that no delay on the part of the Board warrants the intervention of the courts, or the tolling of backpay. The Board's position with regard to laches would be the same had it filed the

Backpay Specification five years from now, at a time at which the liability sought to be imposed on Movant would perhaps be double what it is today.

When this Court wrote its opinion in 1957, it anticipated that the details of compliance would be resolved in either (1) further administrative proceedings or (2) direct contempt proceedings (245 F 2 594 at page 598). We presume that if the details were to be resolved administratively the Court expected either a prompt backpay hearing or a prompt disposition of the individual reinstatement problems by negotiation. It is beyond argument that Movant will find it difficult, if not impossible, to reconstruct the facts which prevented or delayed the reinstatement of a particular striker on a particular operation on a particular date after this length of time when many of the persons having intimate knowledge of those problems are no longer available. This is also true with relation to the problem of interim earnings. The Board will contend that the burden of proof is upon the employer in any matter pertaining to the "diminution of damages" (see *Mastro Plastics Corp.*, 50 LRRM 1007).

Movant submits that this Court has the power to control any proceeding ancillary to its Decree in a manner which will avoid an inequitable result. The degree of compliance reflected in the Backpay Specification itself is a complete defense in this proceeding. We do not believe this Court expected the company to hire employees when there was no work for them to do, and Movant's sworn statement that there was a substantial reduction in work after the strike has not been contested. Thus, compliance is apparent on the face of the record, since 530 out of 600 reinstatement problems were resolved by the end of 1956. Movant should not at this late date be faced with:

(1) Continued interference with the normal conduct of its business by the continuing threat of a liability in excess of $350,000. If the Board is not enjoined, this contingent liability will remain a part of Movant's financial picture for another 2 to 3 years.

(2) The expense and inconvenience of a hearing lasting from 6 months to one year.

(3) A procedure in which Movant suffers more than the Board from the difficulties of proof which result from the Board's delay.

(4) A potential monetary penalty in direct proportion to the Board's delay and in an amount which threatens the financial structure of the company.

In its brief the Board indicates the future course of this case if the backpay hearing is not enjoined (page 26). First there will be the prolonged hearings before the trial examiner. Thereafter the procedures provided in Section 102:24 to 102:51 of the Board's Rules will apply. These Rules provide for an intermediate report from the examiner who hears the witnesses. The intermediate report will be followed by the decision of the Board, which in turn will be reviewed by this Court. If the past is any indication of the future, there may be a delay of an additional 2½ to 3 years before all of the reinstatement issues are finally disposed of by the procedure proposed by the Board. We remind the Court that if this course is permitted, it is the Board's contention in its brief that this Court can exert no control over the length of time required to complete the proceedings.

Furthermore, this Court's opinion admits of an alternative route, *i.e.*, a contempt proceeding, and in such a proceeding, should it be brought, the burden of proof would be upon the Board (see *NLRB* v. *Reed & Prince Mfg. Co.*, 130 F 2d 765). In Movant's original brief (page 26), it was argued that the statute of limitation should be a bar to a contempt proceeding brought against the company at this time. This argument is presented solely as an additional reason for prohibiting the proposed Backpay Specification. Movant now here states to the Court that if the Court sees fit to direct investigation of compliance by contempt proceedings, Movant waives any right it might have to assert the statute of limitation as a bar to that proceeding. It remains of the opinion, however, that the period of delay should bar the Backpay Specification proceeding. In a contempt proceeding the company would at least find itself in a position of equality with the Board in matters of proof, and with this Court, not the Board, determining whether Movant has complied

with this Court's Order. Such a proceeding, should it be initiated, would have the further advantage of eliminating the delay involved in the procedure which the Board proposes. For the Board would be compelled to present the specific instances of non-compliance, thereby eliminating the forest of trivialities with which the Backpay Specification is encumbered. The record would come to the Court unencumbered by any artificial sanctions or distorted result based upon improper placing of the burden of proof. Movant submits, therefore, that the purpose of the NLRA and full compliance with this Court's Decree can best be served in this case by following the traditional judicial method in equity of fact investigation and judicial sanction under the Court's direction and control.

In *Wallace Corp.* v. *NLRB*, 159 F 2d 952, the Board applied to the Court for authority to hold a hearing to determine whether the company's actions were in compliance with the Court's Decree. The Court said:

> ". . . we are not referring to the determination of the Board the question as to whether or not the action of the company with respect to the reinstatement of the five employees has been in accordance with our decree. That is not a question which arises in the exercise of administrative powers by the Board, but one which, if it were properly before us, we should determine ourselves in the exercise of one of our most important judicial powers, the power to punish for contempt. When we desire a finding made to serve as a basis for the exercise of that power, we shall either make it ourselves or have it made by a commissioner of our own appointment, whose findings will be subject to review by us under the Federal Rules of Civil Procedure, 28 USCA following section 723c, and not under the statutory rule that they must be accepted if sustained by substantial evidence, whether we agree with them or not. When a court undertakes the serious business of punishing for contempt for disobedience of its orders, it should manifestly have complete control of the proceedings leading up to the punishment; and under no circumstances should it, directly or indirectly, farm

out its powers over contempt to an administrative agency."

Movant respectively submits that the Board, after disregarding the rights of the company, and failing to pursue its normal administrative course with the dispatch expected by this Court and required by the APA, should not now be permitted, at this late date, to elect to proceed under its own Rules, so favorable to itself and so unfavorable to the company in matters of proof, and launch upon a proceeding which will add 2 or 3 years to the delay which has already occurred.

Respectfully submitted,

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CERTIFICATE.

I hereby certify that two copies of this supplemental brief have been served upon Mr. John F. LeBus, Regional Director, 15th Region, NATIONAL LABOR RELATIONS BOARD, T6024 Federal Building (Loyola), 701 Loyola Avenue, New Orleans 12, by placing the same in the United States mail postage prepaid.

May 21, 1962.

(Signed) HENRY J. READ
HENRY J. READ

TRANSCRIPT OF ORAL ARGUMENT

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 23744

J. H. RUTTER-REX MANUFACTURING COMPANY, INC.

*versus*

NATIONAL LABOR RELATIONS BOARD

No. 23909

AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO

*versus*

NATIONAL LABOR RELATIONS BOARD

PETITIONS FOR REVIEW OF ORDER OF NATIONAL LABOR RELATIONS BOARD

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[fol. 2]

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(The above entitled and numbered causes came up for hearing on Thursday, December 7, 1967, in The

United States Court of Appeals for the Fifth Circuit, 400 Royal Street, New Orleans, Louisiana, THE HONORABLE JUDGES COLEMAN, SIMPSON & DAWKINS, presiding.)

* * * *

[fol. 58] JUDGE COLEMAN: We have already alluded to interest, however, it might seem to be absurd on the face, it's not intended to be; I don't think if the Courts all lived—we can't assume that we will live one hour or three hours or three years; suppose we take three years to decide this case, what would you think about that?

MR. BISHOP: I would be as upset as Mr. Rutter is with the Board.

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IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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No. 23744

J. H. RUTTER-REX MANUFACTURING COMPANY, INC., PETITIONER

*versus*

NATIONAL LABOR RELATIONS BOARD, RESPONDENT

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No. 23909

AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO, PETITIONER

*versus*

NATIONAL LABOR RELATIONS BOARD, RESPONDENT

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*On Petitions for Review (Nos. 23,744 and 23,909) and on Cross-Petition for Enforcement (No. 23,744) of an Order of the National Labor Relations Board (Louisiana Case)*

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(July 23, 1968)

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Before COLEMAN and SIMPSON, Circuit Judges, and DAWKINS, District Judge.

COLEMAN, Circuit Judge: This litigation beclouds the highly respectable idea that all litigation must, some day, come to an end. 164 volumes of the Federal Reporter [2d] have been published since this case first appeared in this Court, 229 F.2d 816, 1956. Indeed, the controversy has survived a complete turnover, save one, of the judges in active service on this Court.

## I

To go back to the origins of the difficulty: In May, 1953, the Amalgamated Clothing Workers of America, CIO, attempted to organize the 600 employees of the J. H. Rutter-Rex Manufacturing Company, Inc. On July 30, 1953, the president of the Company, made a speech at the plant in which he stated that "he would not tolerate 'any damn union in the plant'; that the last time the union had tried to organize his plant he had 'personally fired 300 girls', and would fire 400 to 500 more 'if necessary' ", 229 F.2d at 817. The record in that appeal further reveals that a Company vice-president had exercised impermissible surveillance of employee union activities, had threatened to fire other employees for their union activities, and had coercively interrogated others. Some employees had been discriminatorily discharged. The situation was such that in its opinion reviewing that stage of the case a panel of this Court [Chief Judge Hutcheson and Judges Rives and Cameron] stated that the record was permeated throughout with cogent testimony of company antipathy toward the union, 229 F.2d at 819. The Court directed enforcement of the Board Order, which had found Rutter-Rex guilty of § 8(a)(1) and § 8(a)(3) violations of the National Labor Relations Act.

In 1957, we had the parties again, 245 F.2d 594. That proceeding was initiated by a petition of the Board to enforce its order dated February 13, 1956 requiring Rutter-Rex to offer immediate and full reinstatement to certain of its former employees. Again, this Court [Chief Judge Hutcheson and Judges Jones and Brown] decreed enforcement.

We recite the foregoing as of some assistance to an understanding of the issues we are now required to resolve. It convinces us, of course, that Rutter-Rex is not, and has not been, a babe in the woods, now about to be victimized for ignorance or inadvertent ineptitude in the field of employer-employee relations, as regulated by the National Labor Relations Act.

Enforcing the Board Order, our decree of August 19 1957, by reference thereto, directed the Company to

offer reinstatement, upon application, to all employees who went on strike on April 21, 1954, or thereafter, and to:

> "make whole such strikers for any loss of pay they may have suffered by reason of the Company's refusal, if any, to reinstate them, by paying to each of them a sum of money equal to that which he would normally have earned, less his net earnings, during the period from 5 days after the date on which he applies for reinstatement to the date of the Company's offer of reinstatement. Loss of pay shall be computed on a quarterly basis", [115 NLRB 388].

The present controversy was commenced on November 14, 1961, by a Backpay Specification issued by the Regional Director, which notified the Company of its right to file an answer thereto within fifteen days. The Company filed an application in this Court for an injunction, seeking to enjoin the Board from proceeding further with the Backpay Specification because of the lapse of time in filing it. We denied a permanent injunction, 305 F.2d 242, concluding that we should not take any further action *prior to such time as a final order might be entered [by the Board] or other final action taken.* Special note is taken, however, that this Court then asserted that "there has been inordinate delay in this case." Inordinate means "in excess of reasonable limits".

We now have before us the petition of the Company, filed June 8, 1966, to review the Supplemental [Backpay] Order of the Board issued on June 3, 1966, 158 NLRB 1414. We likewise have the petition of the Amalgamated Clothing Workers of America, AFL-CIO (the Union) to review, set aside, and modify certain portions of that order. By its answer, the Board requests that its Supplemental Order be enforced in full. These consolidated proceedings [No. 23,744 and No. 23,909] present us with a record 5,297 pages in length, in addition to 297 pages of Exhibits, and more than 600 pages of briefs. We have had the case under analysis and

consideration for more than half a year, as a result of which we are convinced that the appropriate disposition of the issues raised is really not so abstruse or complex as counsel, in their commendable zeal, have conceived it to be. All contentions have been thoroughly considered but this opinion will discuss only those regarded as meritorous and necessary to the appropriate disposition of the case. There is no inclination that the opinion shall unnecessarily rival the length, or the volume, of the material submitted.

As a matter of fact, we see that most, if not all, of the contentions on behalf of the Company as to generally controlling legal principles were raised and settled in *W. C. Nabors* v. *National Labor Relations Board*, 5 Cir., 1963, 323 F.2d 686. *Nabors* was a reinstatement and backpay case, in which the Board delayed its Backpay Specification from May 31, 1955, to March 25, 1959, a period of almost four years. We there held that Nabors could not avail itself of the defense of laches, could not invoke state statutes of limitation, and could not introduce evidence to show irreparable injury caused by undue delay. The Supreme Court denied certiorari, 376 U.S. 911, 84 S.Ct. 666, 11 L.Ed. 2d 609 (1964). *Nabors* further held that backpay, as used in the applicable statute, includes moneys which it is reasonably found that an employee would actually have received in the absence of unlawful discrimination; that lack of available jobs is an affirmative defense, that the burden of establishing such a defense rests on the employer, and the burden likewise rests with an employer attempting to prove a former employee's failure to make reasonable search for other employment.

## II

We start our analysis of the pending issues by recalling that the Company began digging its costly pit by refusing to bargain with the duly certified Union, *National Labor Relations Board* v. *J. H. Rutter-Rex Manufacturing Co.*, 5 Cir., 1957, 245 F.2d at 595, 596. The Board ordered reinstatement of the striking employees. On June 19, 1957, we granted enforcement.

The Order so enforced required reinstatement within five days after application therefor, plus backpay until the date of the offer of reinstatement, loss of pay to be computed on a quarterly basis.

The Backpay Specification of November, 1961, asserted backpay claims in the total amount of $342,000, up to July 1, 1961. Six hundred employees had gone on strike. 211 were reinstated before the strike ended. 299 were out on strike when the Union called it off, April 21, 1954. 132 were reinstated before the end of 1955, and by the close of 1956 there were but 70 who had not been reinstated. The Company contended that there were fifteen employees who were not entitled to reinstatement because they had been guilty of strike misconduct, including violence. The Board agreed as to ten of these. The Board disqualified two employees for failure to apply for reinstatement, two were disqualified for abandoning the industry, and one was disqualified for non-availability.

In the order now under review, the Board awarded $159,016.32 in backpay to 171 individuals, less than half of the amount asserted in the Specification. The Trial Examiner denied backpay to approximately thirty-five. On review, the Board in its Supplemental decision and order of June 3, 1966, 158 NLRB 1414, adopted the findings, conclusions and recommendations of the Examiner in substantial part, and modified the Examiner's award as to twelve former employees.

For reasons to be discussed, the Company says that it should not have to pay anything.

## III

The Union says that the ten employees should not have been disqualified for strike misconduct and that other employees were erroneously denied backpay in varying amounts. We are of the opinion that the findings of the Board in these cases are substantially supported by the record and that the order correctly applied the law. As to these items we decline to upset the Order.

Nor do we approve Union contentions that the Board erred both in reducing the gross backpay claims by 6% to take care of absences and in awarding 6% interest on the backpay awards from June 2, 1964, rather than from the date of discrimination.

## IV

We now proceed to consider the Company attack. As usual, the Company says, in effect, that all is the fault of the Board; the Board responds that all is the fault of the employer. As often happens, we do not wholly agree with either. We do agree with the Board that:

> "It is not the function of this Court to try the case de novo or to substitute its own appraisal of the evidence for that of the Board. If the Board has conceived the law correctly, if it has not acted arbitrarily or capriciously, and if its findings are supported by 'substantial evidence on the record considered as a whole,' they are conclusive and binding on this Court even though we might have made different findings upon an independent consideration of the same evidence." *N.L.R.B.* v. *Brown & Root, Inc.*, 8 Cir., 1963, 311 F.2d 447, 451.

### A. *Our 1957 Opinion*

In *N.L.R.B.* v. *J. H. Rutter-Rex Manufacturing Company*, 245 F.2d 594, we held that (1) the duty of the Company to bargain with the certified Union did not terminate with the calling or execution of the strike, (2) the Company had been guilty of unfair labor practices in refusing to bargain collectively with the Union and in interfering with the employees in the exercise of their right to organize and bargain collectively, and (3) the Union had not been guilty of any practice justifying employed in breaking off bargaining negotiations.

In the present proceeding, which stems from that decision, the Company vigorously and repeatedly insists that our language at 245 F.2d 598 was not clear and unequivocal, that it left certain questions open to further action. The language so denominated was as follows:

"The difficulties which the Employer now faces were not unknown when it set out on its forthright but risky course of declining to bargain at all. For once the strike is an unfair labor strike, Mastro Plastics Corp. v. N.L.R.B., 350 U.S. 270, 278, 76 S.Ct. 349, 100 L.Ed. 309, or becomes such, N.L.R.B. v. Crosby Chemicals, Inc., 5 Cir., 188 F.2d 91, 95, the employer is compelled under the Act to reinstate the strikers upon application even though it means discharging replacements hired during the strike.

"The numerous questions which the Employer insists now plague it, such as the possibility of nonstrikers voluntarily terminating employment with subsequent replacement during the strike, the availability of work at various times considering the nature of these manufacturing operations, the number of strikers who may have declared their unwillingness to return to work, the calculation of the lost pay if any, the misconduct of some specified strikers which might afford a basis for denying reinstatement, are not foreclosed. Their resolution can come either in further administrative proceedings before and through the Board or in direct contempt proceedings, if brought before us, for failure to comply with our order decreeing enforcement.

"The employer certainly has no right to insist that until the strike whose continuation is a direct byproduct of his own Section 8(a)(5) violation is terminated, no order of reinstatement can validly be made. Nor can the employer confound its violation by demanding that all of the matters be threshed out in the initial Board proceedings. Undertaking to ascertain the myriad of details respecting the right to, and extent of, the remedy as to each specific striker out of a large labor force would complicate the proceeding and perhaps make it endless."

We are of the opinion that the argument as to confusion or misunderstanding is without any real merit. The Company, experienced in labor disputes and rep-

resented by outstanding counsel, could not have possibly overlooked the plain command of the Court's decree that the employees should be reinstated upon application and made whole for any loss of pay they might have suffered by a refusal to reinstate. This was the very heart of the litigation and the decree which followed. It just could not have been misunderstood.

Certainly, the Company was entitled to the benefit of the law as to failure to apply, the availability of jobs, bona fide offers to return, the availability of work, and the like. The focal consideration here is that if any of these items were hindering compliance with the enforced order then the Company could have applied to this Court for a clarification of its decree or it could have moved the Board to hear and settle any problem of material importance. The indisputable fact is that the Company applied for no such relief. It is too late now for us to entertain this plea. Upon the consideration of the record as a whole we are convinced that nothing in the opinion actually could reasonably have been confusing, or a stumbling block to compliance.

B. *Impossibility or failure of compliance*

On April 5, 1955, the Union notified Rutter-Rex that the employees had voted on March 31, 1955, to terminate the strike. The second paragraph of the letter stated "Please be advised that each of the employees whose names are listed on the attached sheets hereby offers to return to work for your Company unconditionally and immediately. Kindly inform us when and where these employees should return to work".

Attached was a list of 114 employees, with their street addresses indicated.

On April 8, an additional list of 25 names was submitted.

On April 11, Rutter-Rex responded, not with an unconditional reinstatement of these employees, but with the suggestion that:

> "Such persons as desire to return to work with us file application with our Personnel Office as

soon as possible. Since we cannot process all applications at one time, we would suggest that you have the applicants come in at the rate of no more than twenty (20) per day."

On April 22, the Union notified the Company that although they had complied with the request to send the employees in groups of twenty per day, "We consider these employees as having unconditionally applied for employment on the date you received our registered along with lists of names attached thereto". With this letter an additional list of fifteen names was submitted. On May 13, six additional names were sent.

We hold that the Union letters as to the named employees was effective notice and that the Company should have promptly reinstated them, *N.L.R.B.* v. *Brown & Root, Inc.*, 8 Cir. 1953, 203 F.2d. 139, 147.

The Company argues that literal compliance with the order to reinstate all employees within five days after they applied was impossible and that a good faith effort was made to reinstate as many as possible as quickly as possible. The Union submitted the names of 114 employees on April 5. By the standards which the Company sought to impose, 20 a day, these could have been taken care of in less than six full days. The list of 25 submitted on April 8 would have required only two hours beyond one day. The 15 submitted on April 22 would have required less than a day. The 6 submitted on May 13 would have required less than half a day. So, we reject this argument.

Moreover, the requirement is that the employee be made whole. The liability for backpay therefore begins with the application for reinstatement, even if that be a date prior to the Board Order. Unfair labor practice strikers must be rehired on demand, *N.L.R.B.* v. *Fitzgerald Mills Corp.*, 2 Cir., 1963, 313 F.2d 260. The clear policy of the Act is to restore the situation as nearly as possible to that which would have been obtained but for the unfair labor practices, *Phelps Dodge Corp.* v. *N.L.R.B.*, 313 U.S. 177, 194, to make whole those who have been deprived of a recognized interest by acts that constitute a violation of the Act, and to prevent

the violator from benefiting by his misdeed. *N.L.R.B.* v. *Coats & Clark, Inc.*, 5 Cir., 1957, 241 F.2d 556; *N.L.R.B.* v. *J. H. Rutter-Rex Manufacturing Co.*, 5 Cir., 1957, 245 F.2d 594, See, also, *Florence Printing Company* v. *N.L.R.B.*, 4 Cir., 1967, 376 F.2d 216, cert. denied —— U.S. ——.

We find the record well sprinkled with instances in which the Company moved at a snail's pace in the reinstatement of some of these former employees. The record as a whole demonstrates that it was not impossible for the Company to comply and that as to many individuals it did not comply. Our conclusion as to the individual employee cases will be found in Part V of this opinion.

C. *Inordinate delay.*

The Company strongly urges, with much factual justification, that the Backpay Specifications ought to be barred by the four year delay on the part of the Board. As already pointed out, however, the Company cannot invoke laches or statutes of limitation, but this is not the end of the matter.

On November 7, 1957, following our decree granting enforcement (August 31, 1957) *counsel for the Company* wrote the Board as follows:

> "As you know, we are handling the matter of complying with the decree of the United States Court of Appeals for the Fifth Circuit, enforceing the order of the National Labor Relations Board in the subject cases. Our client has already complied with some of the provisions of the decree, and is presently engaged in bargaining with the representatives of the Amalgamated Clothing Workers of America. If any instance of a failure to fully comply with the order is brought to your attention, we would appreciate your contacting us promptly so that such corrective measures as may be necessary can be immediately taken in order to assure full compliance with the decree."

The Board minimizes the importance of this communication by citing its letter *to the Company*, dated August 21, 1957:

> "You have recently received the Decree of the Fifth Circuit Court of Appeals in the above case.
>
> "I should like to offer the assistance of this office in effecting prompt compliance with the requirements of this Decree. William W. Fox has been assigned to assist you in this connection.
>
> "Kindly advise Mr. Fox how many copies of the Notice you will need in order to comply with the terms of the Decree and he will have the required number prepared for you.
>
> "I trust that within the time specified in the Decree we will be able to report to the Board that you have taken the required action.
>
> "*When you have fully complied with the affirmative terms of the Decree and there are no violations of its negative provisions, you will be notified that the case has been closed. Until you receive such notice you will know that the case remains open for all purposes as awaiting compliance.*" [Emphasis added].

After this exchange of correspondence nothing of any consequence was said or done until March 22, 1960. On that date, a compliance examiner wrote Company counsel as follows:

> "As you may know, the above-named cases have been assigned to the undersigned for the purpose of assisting the Company in complying with the Order of the Board as enforced by the Circuit Court.
>
> "Our file indicates our last correspondence with you was in 1957, when in a September 11 letter you informed us notices were posted in the New Orleans plants of Rutter-Rex on September 10. It is presumed that notices were subsequently posted at the Franklinton plant. Will you please confirm the posting of these notices.
>
> "An effort is being made to determine the back pay, if any, due the strikers referred to by the

Board in its Order. To this end we are requesting that payroll records, social security payment records, personnel records and reports necessary to analyze the amounts of back pay due and the rights of employment of strikers be made available to us for examination and copying. We currently have before us the names of some 470 individuals for whom determinations are to be made. While this appears to to be a formidable undertaking, we trust that with your cooperation it will not be too burdensome upon the Employer.

"Will you please contact us at your earliest convenience in order that we may arrange a time and place for our examination.

"We are, we realize, in the position of having delayed action in this matter over a period of several years. Under these circumstances, it may seem inconsistent that we now urge that prompt attention be given to the request. However, the delay to date has been in a large measure due to a shortage of personnel in this office. In order that we may bring your client into compliance with the decree of the Court as soon as possible, we ask that we hear from you within the next week. Your cooperation here will be sincerely appreciated."

It was this examination of Company records, opened in 1960 and completed in 1961, which led to the Backpay Specification of November 4, 1961, now contested before this Court.

We agree that the Company could not shift or avoid its duty of compliance by asking the Board to notify it of any failures of compliance which might be brought to its attention.

On the other hand, the Company had a legal right to expect the Board to proceed with *reasonable expedition.* The Administrative Procedure Act, 5 U.S.C.A. § 1005(a), *Deering Millikin, Inc.* v. *Johnston,* 4 Cir., 1961, 295 F.2d 856. The language of the statute then read that "* * * every agency shall proceed with reasonable dispatch to conclude any matter presented to it except that due regard shall be had for the convenience

and necessity of the parties or their representatives. * * *".

The Board says that the Company is not now entitled to the benefit of the statute because it made no effort to invoke it. The answer to this is that, despite its duty expeditiously to proceed, from August 31, 1957 until March 22, 1960 the Board wrote no letter and gave no notice of any kind that it contemplated moving with reference to backpay. We have already pointed out that a prior panel of this Court found the delay to have been inordinate, beyond the bounds of reason. That panel had before it the Board excuse that it had an extremely heavy case load. We are impressed by the fact that regardless of its case load in the New Orleans area the Board knew that the Rutter-Rex dispute initially involved 600 employees and undoubtedly was one of the most important, if not the most important, compliance case pending before its Regional Office. It is admitted that the Board did have six attorneys at New Orleans. Yet, all of their attention was devoted to other cases, to the complete exclusion of this one. They let the case slide along in total inaction for almost three years after we granted enforcement—and for five years after the Union abandoned the strike. Moreover, backpay was awarded through June 30, 1961, and any accruing since that date is *yet to be settled.*

In *Deering Millikin, Inc.* v. *Johnston, supra,* it was held that the courts have the right and the duty to enforce the requirements of the Administrative Procedure Act:

> "What is required is some balance between the interest of the Board, of the Union, and of the employer. It should be recognized, on the one hand, that the court should not interfere with any reasonable exercise of the Board's discretion in controlling the progress of the proceedings pending before it. On the other hand, adequate protection of the employer's rights should be afforded."

The fact that the Company applied for no relief until it received the notice of March 22, 1960 is not conclusive

because it had a right to expect the Board to proceed with reasonable expedition and the Board did not do so. At the very least, in a fair and impartial analysis of the situation, it cannot be said that the Company was not, at least to a reasonable degree, lulled into the belief that the Board was satisfied and that no further action was to be expected.

Although we have held that mere lapse of time will not throttle the filing of backpay specifications, we also recognize the rule found in *N.L.R.B.* v. *Brown*, 380 U.S. 278, 291:

> "Courts are expressly empowered to enforce, modify or set aside, in whole or in part, the Board's orders, except that the findings of the Board with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive. National Labor Relations Act, as amended, Sections 10(e), (f), 29 U.S.C. Sections 160 (e), (f) (1958 ed.). Courts should be 'slow to overturn an administrative decision,' *Labor Board* v. *Babcock & Wilcox Co.*, 351 U.S. 105, 112, but they are not left to sheer acceptance of the Board's conclusions,' *Republic Aviation Corp.* v. *Labor Board*, 324 U.S. 793, 803. Reviewing courts are not obliged to stand aside and rubber-stamp their affirmance of administrative decisions that they deem inconsistent with a statutory mandate or that frustrate the congressional policy underlying a statute. Such review is always properly within the judicial province, and courts would abdicate their responsibility if they did not fully review such administrative decisions. Of course due deference is to be rendered to agency determinations of fact, so long as there is substantial evidence to be found in the record as a whole. But where, as here, the review is not of a question of fact, but of a judgment as to the proper balance to be struck between conflicting interests. '[t]he deference owed to an expert tribunal cannot be allowed to slip into a judicial inertia which results in the unauthorized assumption by an agency of major policy decisions properly made by Congress.' *American Ship Building Co.* v. *Labor Board, post*, at 318."

See, for example, the decision of the Court of Appeals for the Eighth Circuit in *N.L.R.B.* v. *Ozark Hardwood Co.*, 282 F.2d 1 (1960), in which that court declined to enforce backpay awards that were within the letter of the law but apparently beyond the intent of Congress.

In the light of these considerations, we proceed to a determination of a "balance between the interest of the Board, of the Union, and of the employer", *Deering Millikin, Inc.* v. *Johnston, supra.*

A backpay proceeding is designed to enforce a public, not a private right. The purpose of a backpay award is to deter unfair labor practices and not to enforce the private rights of the employees, *N.L.R.B.* v. *Mooney Aircraft, Inc.*, 5 Cir., 1966, 366 F. 2d 809.

Because the Company had committed unfair labor practices the burden was upon it to establish all affirmative defenses to the backpay specifications. The Board's sole burden was to prove damages, but as to any facts in mitigation the burden was on the employer, *N.L.R.B.* v. *Miami Coca-Cola Bottling Company*, 5 Cir., 1966, 360 F.2d 569, 576. When dealing with 200 claims, carrying the burden of proof as to when an employee applied for reinstatement, whether the applicant was really available for work, whether there was a job available, whether a replacement should have been discharged in order to reinstate a striker, whether a discharge after reinstatement was made in good faith, whether an employee had made a bona fide effort to obtain employment elsewhere, is at best no minor task. After inordinate delay, the situation is compounded. Actually, about all the Company could do in this hearing, which ran 58 trial days, was to cross examine the claimants in an effort to establish much of its defenses.

The proof was often so sketchy that the Trial Examiner had to strain for his findings. Repeatedly, issues were resolved solely by applying the rule as to the burden of proof. Ordinarily, we would not take a second look at this, but after inordinate delay there is occasion for concern. We do not feel that the inordinate delay barred all backpay, but some modification must be made.

Under the facts and circumstances of this case as herein enumerated, and applying the principles herein con-

sidered, this Court holds that the purposes of the Act will be vindicated, the intent of Congress will be served, and the Due Process rights of this Company will be preserved, by the enforcement of the Supplemental Order of the Board as to all backpay awarded to all employees (except those named in Part V) for any and all quarterly pay periods prior to and expiring with the end of the second quarter of the year 1959. This period covers all backpay accruing during the three years which transpired between the end of the strike and our decree of enforcement, 245 F.2d 594, and it includes all such backpay for a period of an additional two years subsequent to that decree. Considering that the employer was in the wrong in 1955 and that the Board was guilty of inordinate delay by doing nothing before March 22, 1960, we are of the opinion that backpay awards for this five year period satisfy the purposes of the law, with no injustice to the Company. We are likewise convinced that no backpay award for any period subsequent to July 1, 1959 should now or hereafter be enforced.

## V

### THE INDIVIDUAL CLAIMS

The bulk of the record and briefs deals with the merits or demerits of almost 200 individual claims for backpay. Upon consideration, judged by the standards applicable to each case, we find substantial support in the record for all awards except those to Amanda Bickham, Ruth Brumfield, Hazel Burns, Gloria Delpit, Vera Fulton, Indiana Plummer Gamble, Ida Haynes, Catherine Jeff (Clark), Kathleen Lodge, and Hattie Walker. Awards to these individuals will not be enforced.

### CONCLUSION

Except as those employees who are found in Part V hereof to be entitled to no backpay at all, all backpay awards for any employment period prior to and ending with the close of the second quarter of the year 1959, as granted in the Supplemental Order of the Board dated June 3, 1966, are hereby ENFORCED.

In like manner, as to all backpay awards for any period of employment from and after the beginning of the third quarter of the year 1959 enforcement is DENIED.

The case is remanded to the Board for the purely mathematical task of computing the amount of backpay due each employee, consistently with what we herein hold and have hereby ordered. Since this is a matter of mathematical calculation only, no likely reason for any of the parties to seek further review in this Court is anticipated.

After thirteen years, let the books be closed on this controversy.

Enforcement GRANTED in part and in part DENIED, and REMANDED with directions.

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

J. H. RUTTER-REX MANUFACTURING COMPANY, INC., PETITIONER

*v.*

NATIONAL LABOR RELATIONS BOARD, RESPONDENT

---

AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL-CIO, PETITIONER

*v.*

NATIONAL LABOR RELATIONS BOARD, RESPONDENT

---

JUDGMENT

Before Coleman and Simpson, Circuit Judges, and Dawkins, District Judge.

The above consolidated causes were submitted this Court upon petitions to review (Cases Nos. 23,744 and 23,909), and cross-petition for enforcement (Case No. 23,744), of a supplemental backpay order of the National Labor Relations Board dated June 3, 1966, directed against J. H. Rutter-Rex Manufacturing Company, Inc., its officers, agents, successors, and assigns. The Court heard argument of respective counsel on December 7, 1967 and has considered the briefs and transcript of record filed in these causes. On July 23, 1968, the Court handed down its opinion denying the petition for review filed herein by the Amalgamated Clothing Workers of America, AFL-CIO in Case No. 23,909, granting in part and denying in part the petition for review filed herein by J. H. Rutter-Rex Manufacturing Company, Inc. in Case No. 23,744 and granting in part and denying in part the cross-petition for enforcement filed herein by the National Labor Relations Board in Case No. 23,744.

In conformity with the opinion of this Court dated July 23, 1968, it is hereby

ORDERED, ADJUDGED AND DECREED that the petition for review in Case No. 23,909 be and the same is hereby denied.

It is further ORDERED, ADJUDGED AND DECREED that the petition for review filed by J. H. Rutter-Rex Manufacturing Company, Inc. in Case No. 23,744 be and the same is hereby granted in part and denied in part and that the cross-petition for enforcement filed in Case No. 23,744 by the National Labor Relations Board be and the same is hereby granted in part and denied in part, and accordingly, the supplemental backpay order of the National Labor Relations Board dated June 3, 1966 is amended by eliminating therefrom and by denying enforcement as to those portions of the order which awards backpay to any employee for any period from and after June 30, 1959, and by eliminating therefrom and denying enforcement as to those portions of the order which awards backpay to the following individuals:

Amanda Bickham
Ruth Brumfield
Hazel Burns
Gloria Delpit
Vera Fulton
Indiana Plummer Gamble
Ida Haynes
Catherine Jeff (Clark)
Kathleen Lodge
Hattie Walker

In all other respects the supplemental backpay order of the National Labor Relations Board dated June 3, 1966 is enforced.

It is further ORDERED, ADJUDGED AND DECREED that this cause be remanded to the National Labor Relations Board for the sole and limited purpose of computing the amount of backpay due each employee with respect to whom enforcement of the awards has been granted, consistent with this judgment and with the opinion of this Court dated July 23, 1968.

(dated August 26, 1968)

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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No. 23744

J. H. RUTTER-REX MANUFACTURING COMPANY, INC., PETITIONER,

*versus*

NATIONAL LABOR RELATIONS BOARD, RESPONDENT

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*On Petitions for Review (Nos. 23744 and 23909) and on Cross-Petition for Enforcement (23744) of an Order of the National Labor Relations Board (Louisiana Case)*

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ON PETITIONS FOR REHEARING EN BANC

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(October 1, 1968)

Before COLEMAN and SIMPSON, Circuit Judges, and DAWKINS, District Judge.

PER CURIAM:

The Petitions for Rehearing are DENIED and no member of this panel nor Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc (Rule 35 Federal Rules of Appellate Procedure; Local Fifth Circuit Rule 12) the Petitions for Rehearing En Banc are DENIED.

# SUPREME COURT OF THE UNITED STATES

No. 925, October Term, 1968

NATIONAL LABOR RELATIONS BOARD, PETITIONER

*v.*

J. H. RUTTER-REX MANUFACTURING COMPANY, INC., ET AL.

ORDER ALLOWING CERTIORARI—Filed March 3, 1969

The petition herein for a writ of certiorari to the United States Court of Appeals for the Fifth Circuit is granted, and the case is placed on the summary calendar.

And it is further ordered that the duly certified copy of the transcript of the proceedings below which accompanied the petition shall be treated as though filed in response to such writ.

☆ U. S. GOVERNMENT PRINTING OFFICE: 1969 347282 629